







## **OUR CAUSE**



# OUR CAUSE

A SYMPOSIUM BY INDIAN WOMEN

*Edited by*

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ALLAHABAD

KITABISTAN  
SEVENTEEN A CITY ROAD



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## **INTRODUCTION**

**NAWAB SALAR JUNG BAHADUR.**



## INTRODUCTION

The feminist movement in India has assumed such proportions that it is no longer possible to ignore it. There is much unrest among women, a general desire to change the existing state of things, and a determination to shape it nearer to the heart's desire. Various concessions have been made to them in recent years, and these have taken away the momentum and force which made feminism aggressive and militant in European countries. The changes consequent on these concessions have however been superficial and almost negligible; the basic position of woman remains to-day what it was in the days of Manu. It may justly be said that practically nothing has been done to solve the problems of the vast majority of women—the workers in the field and factory. The time has however come for a careful evaluation of their position and something must be done to remove the disabilities from which they suffer. So far the woman's struggle and agitation has been purely reformist in nature; it has merely emphasised the needs of women of a particular class. A stage has, however, now been reached when it is necessary for the Indian woman to review her whole position in society and place a definite objective before herself so as to determine the lines of work for the future.

Woman in India has passed through various phases. In primitive society when the only law was that there was no law, the system of communal marriage prevailed. The Mahabharata tells us how at one time women consorted with men like cattle; and how the practice was put down by Svetketu who introduced for the first time the institution of marriage. This system of

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communal marriages, however, had not in any way subordinated woman to man. During the early Vedic period she lived a life of perfect freedom and equality. But as the idea of private property developed she gradually lost her independent position; her physical weakness and disadvantages gave an excuse for the assignment to her of a definitely inferior status. She came to be considered a drag on society, was looked down upon, and was placed in a position of subordination and helplessness. She continued to fall lower in the scale till the Codes of Manu summed up her position thus,—“a wife, a son, and a slave, these three even are ordained destitute of property: whatever they acquire become his property whose they are;” and again: “the father protects in maidenhood, the husband protects in youth, the son protects in old age, a woman is not entitled to independence.” The Chattel-status of woman was thus definitely established. Hardly any change has been effected for the better since then, and in the main her position has continued to be as low as in the age of Manu.

The advent of Islam in India did not bring about any fundamental modification in the structure of society. Woman's inferiority had come to stay and, if anything, was emphasised by the more elaborate system of social exclusion, otherwise known as *purdah*, which came into existence during Muslim rule. The partial seclusion of women had been common even in ancient days, but the feeling of insecurity that followed the inroads of the conquerors from abroad, together with the inferior status of Hindu woman which was well established, greatly helped the development of *purdah* and a rigidity that made any progress impossible. It must be remembered, though, that this institution was mainly confined to the middle and upper classes. The tillers of the soil could not afford to adopt these institutions of the rich, and the divergence between the various grades

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of society became still more pronounced. Instances of women of profound culture, erudition, refinement, and initiative among the higher classes are doubtless to be found; but they were the exceptions, and somewhat rare ones too! The vast majority of women remained without any opportunities for self-development. They were treated like chattel to be bought and sold and inherited by the head of the family. They completely lost their individuality. It was, however, necessary to make life tolerable for them, and so a large body of traditions grew up round woman's noble sacrifices; and, as if to rationalise centuries of female degradation, the mother was idolised, *Satis* were lauded; men condescendingly allowed their wives to look after their domestic comforts; and, in general exhibited chivalry towards the so-called weaker sex. As a result of all this, faultless moral character with a single standard of chastity, selflessness and sublime passivity became the ideal of womanhood through these centuries of enforced sacrifice and suffering. The Muslims willingly accepted these conditions of female exploitation. Once out of Arabia, the Muslim mind was completely reconciled to the Persian ideal of womanhood. For about one thousand years sex exploitation prevailed and it was not until recently that these ideals were rudely shaken by modern world forces. Social discontent became vocal and the problems of Indian womanhood became prominent.

Under British rule entirely new social conditions came into existence. There was a disruption of the old economic structure and a disorganisation of the social order. Consequently the Indian woman was faced with new social and economic problems. Thousands of women were now forced to earn their living as agricultural labourers; thousands of others became landless and had to turn to the factories for their daily bread. One outstanding consequence of this was that

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like the male labourer the woman toiler had to wander from place to place in search of work. Thus the old ties of family were forcibly broken, giving place to entirely new social conditions. The middle classes and the aristocracy too were affected by the changed conditions of life. The social status of woman was not however, visibly affected until the national movement shook Indian society to its depths, aroused national consciousness and stirred the people to activity. It gave the women's movement a great impetus. The bonds of seclusion and *purdah* began to fall off with marvellous speed. The national movement has brought about a definite change in the position of woman. If it has touched only the fringe of the problem it is because the national movement has concerned itself chiefly with the middle classes so far. Nevertheless, with the widening of the sphere of national activity there will result a marked advance in the women's movement. Only then will open out to us a rich, varied and noble prospect when woman will take her rightful place beside man on a basis of equality.

Woman to-day, as in the past, is faced with some definite problems which mainly concern the family and the home. Marriage, which no woman can easily avoid, guides the whole course of her life. But the present system of marriage is completely one-sided. It is a cunning device to keep woman economically dependent on man, chained within the four walls of the zenana, confined to the performing of household duties alone. Usually marriage is thrust on her much before she can think for herself, and the tie is indissoluble. Even where divorce is permitted it is accompanied by social stigma and a sense of disgrace. The community looks askance at any departure from the established practice; and some of our fiercest prejudices have centred round the institution of marriage. No freedom is allowed in the choice of partners, and considerations of caste,

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social status, monetary gain and domestic convenience stand in the way of natural selection. The only way of escape from this position is the economic independence of woman. It is difficult to see how a married woman can secure complete economic freedom under the present social order; but if she is allowed economic independence before marriage (which, to a certain extent, is now becoming common), woman will develop a sense of independence which will profoundly affect her relationship with her husband. In this manner it will be possible for two individuals to develop a sense of partnership, and thus build up a more equitable system of marriage.

As a corollary to this institution has developed a special class of women who minister to the exuberant sex impulse of man. Prostitution had its origin in religious custom, and was first secularised by the Greeks in the sea-coast towns when the priestess in the temple turned from offering herself to the pilgrim for procuring the favours of a God, to selling her body for monetary gain. The institution has continued since then, and it is to-day primarily an economic problem. No amount of police vigilance or harsh laws can root out the evil; for so long as the present social arrangements continue it will be possible for the highest bidder and shrewdest exploiter to secure women for his pleasure. Under the present conditions a woman has to sell her body in one form or another, for she is born, lives and dies dependent on man. Some people justify the institution of prostitution on the ground that it preserves the integrity of the family by offering man a wider sphere of sex-activity, and it is held up as a valuable safe-guard to virtuous womanhood. It is evident that nothing short of a radically different social outlook, together with full economic freedom of woman, can solve this problem.

Economically dependent on man as she is, the only

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career open to woman is that of marriage. Child-bearing and domestic duties make it impossible for her to take part in the more fruitful and varied fields of social activity. It is true that the majority of toiling women are not parasites, but their social problems are identical with those of the middle-class women. At present, however, they are crushed even more heavily by their two-fold duties of wage-earning and the maintenance of the hearth and home. Woman, therefore, is compelled to make a choice between her free development, her individuality and her career on the one hand, and her sex life on the other. It is a heavy toll that is demanded of her, and the result is a deliberate suppression of one aspect of her life. Her interests cannot expand in various directions. She is beginning to realise however the injustice of the system and is struggling for complete liberty, to live up to her ideals and to rise to the full height of her stature.

For the first time in the history of the modern world, womanhood has been emancipated; the credit for giving complete equality to both the sexes, must go to Soviet Russia. In Russia the welfare of woman receives primary consideration, and woman has at last acquired the same rights and privileges as man. She is accorded an equal opportunity in every social activity, even after marriage she is free to choose for herself, and the Code clearly asserts that marriage "does not establish community of property between the married persons." Protection has been given to the woman during the period of pregnancy; she enjoys special privileges after child-birth; and while she is at work her child is tended in creches. Community kitchens have solved the problem of her domestic duties. In short, the welfare of woman in every walk of life is the first consideration. This new freedom enables her to take an ever-increasing interest in life. Today she is serving in almost every department, and on a

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very modest estimate, nearly 50,000 women now hold important offices in Soviet Russia. Nor is this advance confined only to particular sections of society. Women, who until recently were exposed to the hopeless drudgery of a housewife in peasant households, are now actively participating in the construction of collective farms. At the beginning of 1935, there were 6,000 women chairmen of collective farms, more than 60,000 women members of the administrative committees, 28,000 women leaders of brigades, 100,000 sectional leaders of brigades, 9,000 managers of dairy co-operatives, and 7,000 acting as tractor drivers.

Society at present is full of disillusionment and despair. It is faced with a chain of broken ideals. The democratic revolutions of the last century did not succeed in improving the condition of women; and modern conditions have degraded her position yet more by depriving her of economic security and the pleasures of the family and home. But awakening has come at last, and woman is asserting herself and is demanding complete liberty. Radical changes are taking place in her outlook, and the revolt of youth envisages the dynamic beginnings of a great social revolution. It is the dawn of a new age—when women will no longer be slaves to men, nor suffer under forced disadvantages, branded as inferior and weak, fit only for household work. Men and women will work side by side on a basis of equality, and be real helpmates to each other as they are meant to be. A life of freedom and of happiness born of freedom will be the result.

In the pages that follow individual writers have attempted to present the various problems of Indian women in greater detail. The contributors have generously assisted us in the production of this book, and their valuable co-operation is a measure of their earnestness and their zeal for the cause of womanhood.

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It is not our aim to present an abstract picture of Indian womanhood or to paint a Utopian future. We have, on the other hand, attempted to examine the question in a scientific and practical spirit with a historical background; basing our conclusions on facts as they are, and to suggest a way of progress on the basis of complete equality in the social, political and economic spheres.

SHYAM KUMARI NEHRU

# **RETROSPECT**



## THE POSITION OF HINDU WOMEN FIFTY YEARS AGO

*By CORNELIA SORABJI*

Hindu women fifty years ago? But in order to realize their position, we must look at them against the background of the years, must place them in their setting.....

In 1885 India had gone far in many directions, but in the years immediately preceding, the old saws about women found in Manu and in other books of "correct belief" were still being quoted.

"Indra declared that the mind of woman was ungovernable and her temper fickle" (Muir's Sansk Texts Vol. V. 461).

"The bed, the mat, adornment, desire" (sleep, laziness, vanity)—"wrath, deceitfulness, proneness to injure and bad morals—these evil qualities the Creator ordained for women" (Sansk Texts Vol. IX. 17).

*The Padma Purana* has a description of the whole duty of a wife towards her husband. It repays study, explaining as it does the natural crystallization into the everyday habit, both of men and women, with which the country was familiar—50 years ago.

The man was a god to be worshipped and served; also to be admired and encouraged with admiration. If he made a joke, she must be overpowered with happiness; if he sang a song, she must leap for joy! She must avoid any food desired by herself, for which he had a distaste even though she did not eat with him and even on his absences from home—when she must live so uncomfortably that the desire for his

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return would be ever with her. She should even on these occasions forsake her comfortable bed and sleep on a board... No wonder the Pundits, consulted by the Authorities of the day, prevented organized education for women and girls, at the time when an Education Department was coming into being for the service of males.

"The sacred writings do not sanction this. Women's province is the Home. Learning would unfit them for their natural duties."

The Government acting on the policy of those days, were guided by the Pundits. And the Education of girls and women, was, till 1857, left almost entirely in the hands of Christian Missionaries, aided by the courageous revolt against tradition of the Leaders of Progressive thought in Religion (not Politics then, be it noted).

Of course there are other texts too, such as "a Mother is the true Guru" (Spiritual guide): and there are many examples of freedom of thought and action to be found among the names of the Great Ones of Mythology or History: Of course that other Eastern tradition, the veneration of the Aged, brought to women in course of time, not only independence but the opportunity of exercising tyranny in their special domain—the Zenana—and of course there were, as there always have been in India, individual women of great practical ability—wise rulers of States or Zemindaries, shrewd managers of business concerns, despite all 'handicaps.' But when any question of Education or enlightenment was involved, the "submissive" texts alone were cited, and "copied fair" in rubric!

Lord Curzon once said that what India wanted was a new Grandmother. Fifty years ago, she wanted a new Mother also. The poor Mothers and Grandmothers of 1845 for instance, had been given no chance. It was only after the despatch of 1854 that Government

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took an organized and definite part in the big problem of what was called Female Education—yielding to the unmistakably growing desire among boys and men for better opportunities for their women-folk in the world of Progress.

It must have been a rude awakening for the Cautious Potentates who had hitherto entrenched themselves behind the Pundits, when in 1849, the boys connected with Elphinstone College, Bombay opened a school for girls, taught in it themselves and started a monthly magazine for the enlightenment of the older women. “Hang it all!” (or its equivalent), we can imagine the Wary Ones saying, stung into the similitude of human beings—“After all this is not the age of Manu, it is the age of these boys and men at College: the woman belong to their own households, are their wives and daughters and sisters .....” And the way was open for the drafting of the 1854 Despatch.

The aid given was not munificent, but Government recognition meant more, psychologically, in those days, than it does now, and the struggling efforts of the Arya and Brahmo Samaj—the little schools, the Zenana and Normal Classes—leapt forward, and steadied themselves for further action. Grants from the Gilchrist Trustees, and from Miss Carpenter, that far-seeing Founder of the National Indian Association, were now locally supplemented, and it was being recognized that permission for girls to attend schools founded for boys in the Villages, was not the entire fulfilment of the obligation of Government towards practically half the population committed to their charge.

With education regarded no longer as a social and moral danger, indeed as almost a vice, but as an attractive and desirable asset, (if not yet as a necessity), public opinion began to change even in Orthodox Hindu circles. And the women who came to maturity

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in 1885, had had the opportunity of a decent education in at least the primary and initial secondary stages of School teaching. But it must not be forgotten that even with the impetus just quoted a terribly small percentage of the population was at school and that Custom still held the majority in an inextricable grip. The Reports of the Education Department of Government, and of Missionary and other Agencies still bemoan—the early age of marriage reducing the school-going period to two years: and the habit of seclusion, together with the lack of adequate equipment, the paucity of women-teachers, and the need for women Inspectresses, since the male Inspectors both revolted against the ‘seclusion-complex’ of the race, and terrified even the smallest children. Vitally deterrent also, was the absence of an urge to earn a livelihood.

Things improved gradually, helped by the fact that the women who received education, were careful to neglect none of their traditional duties within the Hindu Home. We owe them gratitude for this: and for their continued interest in the indigenous. The Hindu homes of 50 years ago were very simple. Few orthodox families lived otherwise than “Indian.” Their houses were furnished with *takht poshes* and *charpais*, with pegs and towel-hoses upon which women hung their sarees: they had no dressing tables, they sat on the low wooden seats, with which Museums now alone acquaint us: or on mats and *gaddis* on the floor. Their husbands’ quarters were furnished with chairs, but English chairs had no place in the Zenana, had indeed to be fetched in for any visitor with a ‘chair’ habit. There was usually a roomy wooden swing, hung from the ceiling placed in the verandah or at the end of the *baithak-khana*; this served for a siesta, or in bolt-upright occupation, was used as a sofa. Books were seldom seen in the Zenana: the “Outside” held all that the family possessed. Writing desks were

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placed on the floor, the women sat at these, cross-legged, though the younger generation was beginning to demand writing-tables and chairs.

The houses were of ancient architecture:—thick walls often beautifully carved, when the houses were of wood, or carrying carved pillars, and pierced wooden or marble balconies. “The Inside” was built round its own courtyard, and women lived a “community” life, all generations of women together entirely apart from men. Privacy in the Zenana was rare. Food was eaten in the Indian way, with the fingers off metal platters; and the women sat on the floor. Of social intercourse, even among women whose husbands were friends, there was none. The occasions on which women met one another were ceremonial: births, marriages, deaths and festivals which necessitated ceremonial feasts. The Joint Family system, was general for the strictly orthodox in all Provinces, and emphasized the Patriarchal aspect of the household.

It should be stated that Brahmos in Bengal, and in a less degree, Arya Samajists all over India, made a variant on the Orthodox Hindu (majority) type of home, which I have drawn. But, in Arya Samajist houses, there was little change beyond the Western furnishing of the public rooms: women still maintained a strict vegetarian diet and their dress conformed to the ancient Hindu fashion. Their ordinary medium of conversation was the vernacular. In Bengal, the Brahmo Samaj women were anglicized and had adopted a mode of dress which they believed afforded them more protection than the national sarees draped traditionally, when they were out-of-doors. For among these Theistic sects of the Hindu community the habits of seclusion and early marriage had long been taboo. Their men-folk worked hard for the emancipation of women: Women’s societies were in existence wherever Brahmos and Aryas congregated; and women were

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encouraged to speak at these gatherings on the advantages of education and the improvement of the position of women. Sometimes the audiences included men, and Sir William Hunter records, how immensely he was impressed by the ability (and demeanour) of Hindu women in this capacity... The old problems of child marriage and perpetual widowhood were still being thrashed out in those days.

The permissible age of marriage was being generally raised on the Statute book, but this fact had done little beyond emphasizing ideals. As far back as 1873 Indian Reformers had obtained Government approval of a Bill, raising the marriageable age for boys to 18 and for girls to 14; but the measure had to be withheld because of public opinion. Among male reformers of the age, should be named Prof. Raghunath Mudhalayar and Mr. Justice Muthuswami Aiyar of Madras, Mr. Baleram Mullick of Calcutta, Mahdeo Rao, Malabari, Telang and Ranade of Bombay.

Malabari was a Parsee who devoted his life to Hindu problems. Telang and Ranade were learned Brahmin Judges of the Bombay High Court. All these men braved the wrath of orthodox Hindus, in their fearless statement of the case for reform in regard to the social problems affecting women and children. The Widow Remarriage Act passed in 1856 freed Hindu widows from compulsion by custom, to perpetual widowhood. Remarriage was given the protection of the Law. But this enactment also remained a dead letter for 30 years. A Widow-Remarriage Society did its best to help, maintaining what was practically a Widow-Remarriage Bureau. The reformers themselves found practice difficult. A story was current at the time of a young reformer, who announced to the cheers of his audience, that he would marry a widow and none other. The Remarriage Bureau fell upon his neck and offered him first choice. Before the marriage actually

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took place he gave a dinner to his born companions. "How many" he asked "of you will accept my invitations to dinner after my marriage?" Not one was willing. The marriage never took place. Social ostracism at the hands of the Orthodox he was ready to face: but to be shut out from the group that had approved and indeed inspired his action, was too much to be borne. Widow Remarriages however did take place in course of time but were recorded by units alone. And, Malabari, Telang and Ranade began to realize that Legislation was not an effective measure of reaching the persons really affected by the evils and disabilities sought to be remedied. The Arya and Brahmo Samaj Communities did not need the law to keep them from Infant Marriage, or to provide against perpetual widowhood; and the Orthodox Hindus would not heed the law. They professed themselves bound by Religion in these respects.

Malabari drew up practical suggestions, upon a 'Corporate Security' basis. But the support he needed was not forthcoming. And eventually the women solved the problem by undertaking campaigns of Education and enlightenment in the appropriate area, *i.e.*, among those tied and bound by custom. They held meetings for women only, and spoke from hearts on fire: with great tact, and with no assumption of superiority. They also worked from house to house establishing and maintaining contacts.

Everything that was accomplished in these important directions (including inter-caste marriages) was accomplished in this way—by quiet work, with social betterment as sole aim. There were no complications introduced by Politics. Political efforts ran on their own axis duly labelled. The women had a great field for their endeavours. In 1881 there were 21 million widows; and no opportunity was neglected.

I regard this period as the Age of the Individual

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and I have illustrated this fact by naming a few of the men whose personality counted for more than Legislative enactment. There were equally remarkable personalities among the women. The names of Pundita Ramabai, Ramabai Ranade and Francina Sorabji in Bombay, the Province of my birth, come to mind. They are mentioned in Blue Books and other records of their generation. All three women owed their education and equipment for life to individuals—Pundita Ramabai to her Father, Ramabai Ranade to her husband, Francina Sorabji to her adoptive Mother. But what they gave to the world was just *themselves*. Their hearts were stirred to the core, to help, to save, to give—and they exhausted to the full (what would seem to the present generation) their meagre educational equipment, in this noble ambition. But what counted most was their personalities, their reality and the crystal clarity of their motives.

Pundita Ramabai (originally from Bengal) burst upon the world in a breath-taking way as a disputant in Sanskrit, at the ancient Sanskrit Colleges throughout India. Herself a widow she was storming the chief stronghold of the enemy attacking the Pundits and venerable quoters of Obstructive Hindu texts. And it must be said to the credit of the Pundits that they received her with enthusiasm, bestowing upon her titles of learning reserved for male scholars alone, nor ever thought to twit her with the texts which had for so long a time, held up the education of Indian women. In the course of her All-India touring, she came to Poona where Francina Sorabji then lived. A meeting between the two was inevitable: and Pundita Ramabai decided that her lecture tour must give place to tutelage. She begged to be admitted as a pupil to one of the Schools founded by Francina Sorabji, and insisted on studying English with the Babies from the very beginning, although a way more suited to her status

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was urged by the Principal herself.

Her humility was not without its effect on the entire school and its staff. And the effect upon herself of daily contact with the Founder, was remarkable. She abandoned her Lecture programme, feeling that she could best serve the cause of widows by opening a Home and School for them.

How the admiration of the Pundits changed to persecution when words were transformed into deeds, and how Pundita Ramabai went bravely forward, ignoring alike both praise and blame—may be read in one of the many biographies of the Pundita, which are in existence. Before she died she had established a Training Centre for women—widows and others handicapped by circumstances—which has resulted in a continued output of service even to this day, her immediate successor being Sundrabai Power, a Maratha.

Ramabai Ranade also devoted herself to widows and solitary women: but in particular to their economic advancement. The Industrial Home of Service which she founded at Poona is a self-supporting and expanding organization conducted by capable Maratha women upon the business lines of its foundation, and branching out to fulfil the growing needs of to-day. It was her own idea to visit Hindu women in prison, to make human contact with them and to read to them in the Vernacular. This was long before unofficial Visitors were appointed by Government. In Bengal such bodies did not materialize till 1910.

Francina Sorabji's chief interest was Education, her chief influence a unifyingness, which compelled love, and obliterated all differences. She had the vision to realize that Oneness was among our chief needs in India: and she set herself to solve this problem by bringing together children of all communities, including the Hindu (majority) community in the Schools which she founded. The Hunter Commission paid a

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tribute to the service she was rendering to the cause of Education, and many were the delegates from all over India, who from time to time, came to study her methods and principles. She was of more mature age than the Pundita and Ramabai Ranade, and her activities were not confined to Education. In an age when welfare organization had not even been conceived she did practical social service work in Poona and the adjoining villages. The respect paid to her age, her intimate acquaintance with the habits and customs or difficulties of the Hindus, her popularity among all classes and communities, her tact and fearlessness and above all the love and understanding which radiated from her, made possible in her lifetime, results which elsewhere have taken more than a generation to achieve.

One more instance is irresistible. It is the story of a child marriage. But the Maratha child in this case had been fortunate in acquiring a decent knowledge of her vernacular, (she also had a little English), before her husband claimed his rights. Then, this quiet girl rebelled: she had not chosen her husband and had no desire for marriage with him or with anyone else. She wished to study further, to equip herself as a Doctor, for work among women. Her parents and her husband were inexorable, and it was pointed out to her that the Law was on their side. "What was the alternative?" She was told, and she decided to take it. She preferred imprisonment to what was supposed to be her marital duty.

The storm that her case raised can be imagined, and its sound went forth into other lands, even to England where the Feminist movement was sturdily established. After she had served her term of imprisonment Rukhmabai was given her heart's desire through the generosity of an English woman. And when she had obtained an English Medical qualification (L. R. C. P. S.) she came back to the charge of a Hospital for woman

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in Western India, and served in that capacity till retirement. She was entirely immersed in her professional work: yet devoid of personal ambition and undesirous of fame. Her chief qualities were her quiet simplicity, and an aloofness which helped her to steer clear of 'movements' of whatever nature.

These facts are recorded as a matter of history—because of such as these women are the Kingdom of Independence—the inheritance upon which the present generation has entered.

Fifty years ago, then, Hindu women lived lives more or less conforming to Hindu standards—(The Brahmo Community, Hindu by race, Theistic by religion, excepted). And the work deliberately done for emancipation, was by individuals of outstanding personality, with practically no corporate aids, save those they themselves had brought into being.

But things had also been going forward in India as a whole.

The 1881 Census gives 1 girl in 180 of all races as under instruction—education being mainly in the Primary stages.

In 1886 the position has improved so greatly that of the Hindu Community alone, almost 1 per cent. are under instruction (though this figure must be slightly discounted by the fact that it includes the Moslem children studying the Koran in indigenous Schools).

The great difficulty was text books, and Pundita Ramabai is mentioned, as having prepared a series for the Government.

Among influences which gave an impetus to Education—we are directed primarily to the interest of leading Indians themselves, one overt sign of which was the School for High Caste Indian Girls established at Poona in 1884—a residential School, officered by women, and open to pupils from all parts of India: and the Countess of Dufferin's Fund, which also

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operated throughout India.

In 1886 the Poona High School had 69 pupils, all of high caste prepared to read up to the Entrance Examination of the University. For this type of girl, the earlier Zenana and Home classes had obviously made no provision. (Incidentally, it might be noted here that this same School, has now a roll of over 700 pupils, and that 45 girls were successful at the Matriculation Examination of 1934).

The Countess of Dufferin's Fund was useful in supplying the *urqa* to which earlier Education Reports had made reference. Girls were encouraged by the Fund Scholarships to qualify themselves for a definite profession. In 1886, 6 girls were reading in the Madras Medical College: 18 in the Grant Medical College, Bombay and 3 in the Medical College, Calcutta. There were as yet no separate medical Colleges for women: the women attended Lectures with the men, by grace of the Authorities. But Calcutta, through the generosity of a Bengali lady, had a Hostel—the Surnomoyi Hostel, for the service of Women Medical Students in Bengal.

The Bethune School founded in Calcutta in 1849, added a Collegiates Wing to its Buildings, and claims the honour both of being the first Arts College for Women in India, and of producing the first woman Graduate (in 1883).

By 1886 Arts Colleges throughout India, show a roll of 45 Women Students—half of these belonging to Bengal—33 girls had passed the M. B. Examination: 5 the L. M. S. and 1 girl was working at the School of Art in Bombay. Provision for the Training of Widows, in addition to the efforts of persons like the Pundita, and Ramabai Ranade and of Missionary Bodies, included a Widows Training Institution founded by a Hindu man, a clerk earning about Rs. 20/- a month, who out of this meagre salary saved enough unit by unit, to

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cover the estimated cost of maintaining and educating a widow. When his accumulations provided for 5 units—he opened his Widows Home, which to-day represents the Womens University, the only foundation of its kind in India.

The Training of Teachers—a want emphasized in earlier Education Reports, had also found fulfilment in the Training Colleges (Vernacular) situated at Poona, Ahmedabad and Baroda—two of the organizers being Indian Women, trained themselves in England at the expense of the Indian Government.

The National Indian Association and the Gilchrist Trustees continued to help, by giving Teachers a finishing year in England.

One result of the entrance of Women upon Professional careers should be noticed. It has its humorous side. As Women Teachers were few, their salaries were proportionately higher than the salaries of males in like positions. For equally obvious reasons when Women Teachers were married, they were posted respectively to the Villages or Districts where their husbands were employed. Cases are on record where this inequality in the husband-and-wife wage-earning capacity, induced the lazy male to stay at home and mind the baby, while the wife went out into the world, the family bread-winner!

Literature was represented chiefly by the Women of Bengal—among whom must be mentioned Mrs. Ghosal (a sister of Robindranath Tagore) who wrote several novels in the Vernacular.

The first Women's Journal *Bamabhadini Patrika* (1883) is also claimed by Bengal. It was edited by a man, for women contributors.

In Madras Mrs. Sathianadhan was herself the Editor of the Women's Magazine which she ran so successfully through more than a decade.

To sum up then—the position of Orthodox Hindu

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Women during the period under review, has been handicapped by two social factors—*Purdah* (the habit of seclusion) and Early Marriage—both customs being injurious to health and fatal in regard to Education.

In the traditions and requirements of their race, in the lore which Mythology and the Sacred Books afforded, in the management of their households, in all the womanly virtues as demanded by their Religion and their men-folk—these secluded women were not wanting. But they were hopelessly ignorant of the world around them, of the ordinary rules of health, of any system of child welfare, or infant Education. They were devoid of ambition either for themselves or their children, because they were ignorant of the possibilities opening out before men and women in an age of Progress. They were held fast in the dead hand of the Shastras.

The Marathas of the Bombay Presidency, and the Theists or Christians of the Hindu race, all over India, must be excluded from this observation. So must the caste women of the coolie, agricultural or smaller-Traders and Servant classes, whose occupation prevented the keeping of *purdah*. But even among the last two classes the tendency 50 years ago, was to adopt *purdah* as a sign of respectability as soon as it could be afforded.

The rights to Property of the Hindu Woman, were (as now) regulated by the Code of Manu, and were not ungenerous in so far as related to *Stridhan*—the women's peculium, with which her husband could not interfere: and even to the right claimed by childless widows in the property of their husbands—such right or enjoyment of property being greater than what is known to the English Law as a Life Estate. The Joint Family System which prevailed generally in Orthodox Hindu Families, afforded, there is no gain-saying, protection and maintenance to women at a time, and in

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circumstances, when such protection was imperative.

A widow had at least a roof over her head among her own people, her daily bread and daily wants were secure.

The hardship lay in the fact that a *purdah* woman had no means, by reason of her seclusion, of getting into touch with the rights secured to her by the Law: and no opportunity of righting, or making known the wrongs suffered at the hands of unscrupulous persons. She was virtually a prisoner.

Enforced perpetual widowhood also carried the evils with which we are familiar..... And the consequence of all these disabilities was that the woman herself came to represent the worst obstacle to her own eventual freedom. Knowing no standard, having no guide for conduct and habit of thought outside the Priest-made and Male-interpreted form of religion, (which, poor soul, she practised so meticulously,) loving and self-sacrificing by nature, fearful of accentuating the curse which her *Karma*, had, may be, already brought on her beloved, she was not only undesirous of breaking away from tradition, she was obstructive even when a breach, when alleviations, would have been sanctioned by the males in authority.

"Did our Grandmothers do that?" was considered a sufficient answer.

Education when allowed a chance, was steadily though slowly loosening this bondage to precedent, and as we have seen the Reformers of 1886 had arrived at the right method of rescue, in seeking by personal contact, to create first the desire for change, which must precede all worth-while help and reform. But it was rarely that the Reformers got access to the strictly-secluded. The difficulties in their way were almost insuperable. And *purdah*, it should be remembered in those days, was general among the strictly-Orthodox, particularly in Raj Estates, and Zemindaries all over

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India, though the closest bondage was to be found in Northern India.

We turn with hope to the Reformed Sections, of the Hindu race—the Brahmo and Arya Samajists who had freed themselves, (not by Legislative enactments, but by change of Religion, based upon conviction), at one stroke from the social evils which we have been considering. To these sections must be added a growing but cautious body of Progressive Hindus who had not openly changed their religion, but who also acted from personal conviction in supporting reform, as far as the Priests would allow.

We have seen how the women of these enlightened groups, so sadly small alas! as compared with the sum total of the Hindu population—did valiant service to the cause of women: how they advanced from the primary stage of Education to the University, taking degrees on equal terms with men, and how they used their equipment for the help of other women, whether in the professions which they now began to adopt, or in humanitarian and Social Service activities.

By 1885 independent women had in certain parts of India, a Municipal vote: but they seldom exercised it. The inclination of even the Leaders, was for house to house work among women, for personal contacts, for study of indigenous conditions and individual needs—rather than for a share in public concerns. Of their own men they had the support and approval: but they had to face the criticism and hostility of obstructors among the strictly Orthodox, in a way which cannot now be visualized, and they set the pace (for reform) with tact, so as not to kill opportunity, for the poor left-behind ones on the road of progress, through outraging a nascent public opinion which had only just begun to glimpse the need for any movement at all.

To the looker-on their self-restraint seems wisdom—the natural precursor of the great achievement of the

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present day.

For what is the record of 1935?

As to Education—desire growing, the schoolable age of girls longer: in Madras and the Punjab, the enrolment of girls even exceeding that of boys.....

(In 1932-33 there were 1,457,199 Hindu girls under instruction in British India).

Women's Higher Education progressing so that where only one Women's Arts College existed in 1886, there are seven: and 3 Medical Colleges where there were none. Returns show 1,420,313 Hindu Women under instruction of which number 1,924 women are at Universities, or doing Post-Graduate study.

Teachers Training Colleges have multiplied, and arrangements are now made for a Physical Training Diploma, and the recognition of a Domestic Science Course.

Vocational Education includes (besides Teaching and Medicine) the Law, Technical and Industrial Courses: and Commerce. Women are admitted to the Bar, and twenty women of all races are already on the rolls, (though not all practising).

Child Welfare and Health work, have since the War become organized departments of service in every Province and women have won distinction in Art and Music.

\*The last Dufferin Fund Report quotes a tale of 85 Doctors of 1st grade, 55 Assistant Surgeons and 52 Hospital Assistants. 49 Women are enrolled in the Women's Medical Service and are making their way both in administration and practice. The Lady Hardinge College at Delhi is a marvellous achievement officered by women. The training of Nurses and Midwives is undertaken in every Province. *Purdah*

\*The figures cited in this paragraph represent all races.

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still exists among Orthodox Hindus; but the number of what I call the Progressives has increased amazingly: and one or two ladies of State and Zamindari Families whose mothers and Grandmothers were in the strictest *purdah* now take their part in the Social life of the capital cities.

The greatest leap forward, however, is shown in Public life and opportunity.

Women now have the Vote, serve on Municipalities and are Honorary Magistrates in Juvenile Courts. In three Provinces women have been nominated to the Legislative Assembly. One woman has served as Deputy President. Women have been nominated by Government to important Commissions of All-India Investigation, and to the Central Advisory Board of Education.

Women have proved themselves to be facile and eloquent public speakers, not lacking in charm, and (in some cases) in reasoned self-restraint.....

But perhaps the material difference between the *Then* and the *Now* may be correctly stated in these terms.

The Pioneers of 1885 were impelled to service by their hearts: they talked little of "Women's rights:" they were stirred to the core by women's needs. Feeling filtered through the heart. In 1935 feeling would seem to filter through the mind. Service is inspired and directed to a great extent by Politics (and it cannot be denied that Politics certainly has been the chief factor in loosening the bondage of custom during the last 15 years). Women's rights have become a slogan—rights visualized out of focus because of the belief that Western methods were to be closely imitated, and that the final achievement of English Feminists was to be our starting point. This 'get-rich-quick' procedure has been applied to the social evils which are still with us. So that whereas the Pioneers relied on study of

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local conditions or house to house contact with individuals, and on personal conviction as the only stable basis of Reform, the Leaders of to-day would seem to rely solely on Legislation and Public Agitation for the removal of all social ills. And many of our too-few workers are being diverted from practical personal service to public oratory.

May it not be that we need the impulses both of 1885 and 1935 for our salvation? That we need workers as well as orators?—the Workers to collect the data about needs and conditions, the Members of Parliament and orators generally to present the case for Legislation upon such data,—data compiled, with the co-operation (in the desire for help) of the women actually affected by the evils in question? And would this method not give the proposed Legislation its best chance—making of it a probable success rather than a fruitless provocation?

Finally,—this review represents in a way, a parade of the women of India on the Pilgrim's way of Progress. The forward-moving battalion, as we have seen is miles ahead, there is still a great gap between this body and the few who are struggling to catch up with them: the majority remain far in the rear, scarcely moving at all. Our first and most imperative duty would seem to be —would it not? to even-up-the-pace.....

An Indian proverb says “you cannot run with one foot, or clap with one hand.” That is true enough: and the wise old saw may be an apt reminder to us at this moment when that forward battalion has so much to its credit, that if we want to maintain success, to reach our objective we must, in preparation for effective action, first—*Even the pace.*

## INDIAN MUSLIM WOMEN—A PERSPECTIVE

*By SAKINATUL FATIMA WAZIR HASAN*

Fifty years ago, the condition of Muslim women in India perhaps constituted one of the most pathetic of all the social problems which existed in our country. Following the ruin and disorganization of the Muslim upper class in 1857, all culture and education even among the women of the privileged sections of our community either died out completely or existed only in a stereotyped and formal state. The little education that was doled out to "ladies" of the upper classes before this collapse of culture, was of a very limited nature. Women's place even in these high spheres was a subordinate one—she was allowed to study literature and theology so that she may become a better 'ornament' in the household of her master-man. As to the millions of other Muslim women belonging to the so-called 'lower' classes, they lived and toiled in the towns and villages of India, just like the women of any other community.

When Sir Syed Ahmad Khan began his movement for education, on Western lines, of the Muslims of India, he made it quite clear that he did not include women in his scheme. He was a firm opponent of female education. And we can well understand the general state of the Muslim mind at this time, if we remember that even the proposal of men's education on modern lines met with strong opposition. The advocacy of female education branded a man with apostasy in orthodox circles.

But with the spread of modern ideas voices began

to be raised about the necessity of bringing some kind of education inside the household. The gentlemen who were educated in Colleges and Universities, or who returned after several years stay abroad found the *zenana* steeped in the profoundest medieval obscurity. They could, of course, keep their women hidden behind the *purdah* away from the vulgar gaze of an all too critical a public. But the necessities of an up-to-date modern household demanded that the lady of the household too, should, to a certain extent, be modernised. With the introduction in our homes, of sofas, couches, and easychairs, made in the most third rate European style, and their installation in a room, to be known henceforth as the drawing-room, the necessity of a wife to fit in these surroundings, began to be increasingly felt.

Muslim reformers began to write books, exposing the credulity, ignorance and stupidity of old-fashioned ladies. Molvi Nazir Ahmad and Hali pleaded for the education of women—they preached obedience, fidelity, and the virtues of efficient housekeeping to the new Muslim woman. Of all the Muslim writers of the late nineties Hali went the furthest, and in a magnificent Urdu poem called “Homage to Silence”, traced the role of women in society, and pleaded not only for their education, but for an altogether different attitude towards them.

Very soon practical shape was given to this tendency, and in 1896, a group of advanced reformers launched forth the bold scheme of starting schools on modern lines for Muslim girls. As Muslims would not send their girls to be educated in non-denominational schools, these reformers thought of starting *purdah* schools for Muslim girls. The Muslim parent, none too enthusiastic to educate his girl, had to be assured about the absolute moral and intellectual security of the new institution, before he could be persuaded to

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allow his girls to leave home for a few hours a day. As was to be expected, these reformers met with the strongest opposition from a large section of the community; and for a long time they could hardly gather more than a few scores of pupils in their institutions. The two earliest of such institutions to be founded, Muslim Girls' School, Aligarh, and Muslim Girls' School, Lucknow, are flourishing to-day, but there is still very strong opposition in the Muslim community not only to these institutions and all they stand for, but to female education in general.

Just as in the field of education so in the political and social sphere of our national life the part played by Muslim women has been very small. Among the upper and middle classes *purdah* is still the rule, and orthodoxy which seems to have found its last resort amongst the Muslims of India, is firmly entrenched. There is no other Muslim country in the world where in social matters like the *purdah*, marriage, and status of women generally, so much dull-witted reaction prevails as in India. It would seem that the modern women of Turkey, Egypt and Central Asia—Bokhara and Samarkand—have hardly anything in common with us. They have already achieved political equality with men and in social matters they are well on the way towards overcoming all the moral and intellectual backwardness caused by centuries of ignorance, dependence and helplessness.

Why is it that Indian women in general, and Muslim women in particular have lagged behind in the race of world progress? The only plausible answer seems to be that it is due to the backward condition of India as a whole—the main features of that condition being the political subjection of India and the terrible poverty of her people. We have inherited from our medieval past many social institutions, customs and beliefs, which have lost all their significance to-day.

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In the modern age they are just dead forms which help to crush all that is vital and dynamic in us. The disabilities from which Indian women suffer are due to this fact. This lack of harmony between form and content in our social life is, at bottom, the result of our present day economic and political institutions. It is because these latter have outlived their utility; because the historical conditions which gave birth to them have changed; because they no longer satisfy the needs of millions of Indians that our society is threatened with catastrophic changes. The forces of reaction have gathered on their side all the foul paraphernalia of obscurantism. Because men's minds are still in the grip of worn-out ideas; because they are still chained to dead social institutions, it is in the interests of the reactionary party to keep these institutions intact, and thus ward off the day of their doom.

Indian society will tend more and more to be divided in two camps—the camp of reaction and the camp of progress. It will be a division that will cut through the communal divisions—where men and women of all communities will be ranged on both sides according to their own particular interests. And the struggle between these two sections—one that of progress, strong in number, to-day down-trodden and without power—the other that of reaction with all the power in the world, but weak in numbers and moral stamina will be a struggle not only for political and economic emancipation but on the fate of that struggle will depend also the final solution of all our social problems. The measure in which women—Muslims and Hindus—take part in this struggle will also be the measure of their social emancipation. It is only through constant activity on a national plane, in diverse spheres of work of national organization—that Indian women's emancipation can become a reality. A superficial tinsel of modernity should not satisfy the Indian woman.

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If she belongs to the upper classes and has had the good fortune to be among the two per cent. educated women of India, she can best emancipate herself and win her inalienable right of equality with men, by identifying herself with those millions of women who have been denied not only all educational enlightenment but also the possibility of a decent living, those women who bear the burden not only of overwhelming physical work, but also of the cruelty and selfishness of man, demoralised by ignorance, poverty and disease.

There is no doubt that if the educated Indian woman chooses this path she will be face to face with enormous difficulties—specially if she happens to be a Muslim woman. Privation and want, social opprobrium and calumny will pursue her with a mercilessness like that of fate. But if she can go through all this without breaking, she would have given to the Indian woman a personality and a soul of her own, and a great step forward would have been taken towards our national regeneration.

**HOME**



## HOUSE DECORATION AND FURNISHING

*By NILIMA DEVI*

Simplicity has always been the keynote of Indian homes. The religious-minded Indian used to lavish all his love of decoration on his temple. This he would carve with innumerable sculptures with consummate artistry and skill. The temples were fragrant with flowers and incense. But he was too other-worldly to develop in himself æstheticism of a secular nature. His home was rather bare, except for chests to store his personal belongings, a plank bed called the *takht* or *takhtposh*, and a rack to hang his clothes on. Furniture, in the Western sense of the word, was absent.

In many homes, however, there was a chamber for the household deity. This chamber the women used to adorn, by drawing many and variegated designs on the floor and walls with a thin paste made of rice flour. In Bengal, this kind of decoration is called *alpana*—an art in itself. The number of exquisite *alpana* patterns, handed down by generations of mothers to their daughters, would be a rare collection of decorative Indian art. The utensils used in religious worship were of copper and brass in the average Indian home, while in those of the rich, they were of silver. At the hour of worship, these the women would set out in shining array; there would be incense and perfume of flowers, and garlands; in short, the household chapel was for ages the outlet for the expression of all the æsthetic sense of the people.

Life, in the olden times, was mainly rural and pastoral, and as such the storerooms and the granaries

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were the pride of the average householder. He would store grains and foodstuff in large earthen vessels and *terra cotta* jars which the women would decorate with drawings in the thin rice paste mixed with different colours. These ancient examples of the Indian people's taste for house decoration were so essentially a part of simple, pastoral and agricultural living that according to modern standards, they can scarcely be classified under the category of deliberately "furnished living."

Luxury as signified by living in the midst of a multitude of things, was not, however, altogether unknown in India. As far back as the fourth century B. C., a Greek author, describing the Imperial palace of the Maurya emperor, Chandragupta, says that it excelled the palaces of Susa and Ekabatana in gorgeousness and splendour. It was, we are told, built of timber like the palaces of Mandalay in Burma; its gilded pillars were adorned with golden vines and silver birds. The palace possessed a fine ornamental garden with fish-ponds and beautiful trees and shrubs. Gold vessels measuring six feet across were used by the emperor's household. The court, according to the Greek chronicler, was maintained with lavish splendour.

During the Buddhistic age, a certain amount of taste in things secular and pertaining to living in an artistic environment, grew. The Buddhist monasteries have left for us ample evidence of this in the frescoes at Ajanta, Ellura, Bagh, and other places in India. They are, perhaps, the earliest examples of decorative painting in India, as an evolved art. In later times, frescoes became a part of house decoration, particularly in the princely palaces.

Really speaking, it was the Moghul empire which ushered in India and generally fostered in her people a liking for a softer, and a comparatively more luxurious mode of living. The life of the people began definitely to emerge from the simple and the pastoral towards an

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artistically and deliberately planned environment, in which it was possible to create new forms for beautifying conditions of living in general. Gorgeous carpets, brocade coverings, silken pillows, bolsters and divans became items of interior decoration in many homes during the Moghul times. Evidences of the Moghul contribution to India's interior decoration are spread everywhere to-day. Yet, it should be recorded that notwithstanding the glamour of leisurely and comfortable living introduced in this country by the Moghul aristocracy and nobility, the average Indian remained at heart fundamentally opposed to luxurious surroundings in his home. Soft living was not compatible with his ingrained preference for asceticism.

No doubt, the Mohammedan conquest of India wrought many changes in the Indian people's modes of life; but these changes never appeared to them as startling. Nor did they upset the established design of living. Even though it was an importation from outside, Muslim culture became in course of time a part and parcel of Indian civilization; it easily adjusted itself to the Indian surroundings. Thus the general mode of living in India remained more or less unaltered, and the ideal of "plain living and high thinking" was still the predominant feature of both individual and community life.

With the spread of European ideas started the influx of imported models for a totally different design of living. By the time the Victorian era had ended the Indian mind had unmistakably turned away from asceticism and austere modes of life to what was then considered to be "higher" living. The result was disastrous for India. When Western furniture invaded our homes, it brought with it the stuffed chairs, the heavily carved almirahs, the unwieldy and massive chests of drawers, the what-nots, chiffonniers, curio-cabinets, and a multitude of knick-knacks covered by glass domes—the entire

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scheme of house furnishing being redolent of inartistic and unbeautiful living. The Victorian fashion seems still to linger in many high places, which only proclaim that our æsthetic ideas are still in an undeveloped state. What Europe has herself come to discard through a natural process of mental evolution we are still sticking to. Although what is known as the European style of furnishing is now popular with the majority of the educated and well-to-do Indian classes in most parts of the country, we have not as yet given much thought to the question of adapting it to our own requirements and present-day surroundings. Still to this day, the major portion, both in its conception and setting, of our so-called "modern" house-furnishing is nothing but an attempt to imitate the discarded fashions of Europe of years ago. What Europe regards as "modern" for herself, and quite rightly so, is furniture of sturdy, simple lines. Amongst the fashionable and leisured classes, the habit of ordering things *en masse* from European furnishers or their Indian imitators, is still prevalent. Whereas in the past our homes used to declare only the insufficiencies of simplicity, to-day they are marked by the oddities of our unimaginative taste, crude imitativeness, and in short, the stiffness of pre-War European furnishing, gone out of vogue long ago.

In Europe, people have throughout attempted to remedy the incompatibilities between their developed æsthetic tastes and likings and the imbibed ideas of a past generation. A home beautiful has become there to-day not merely an expression of the æsthetic sense of individual men and women, but also an embodiment of the spirit of harmony which they attempt to establish between their living and the things amidst which they desire to live. In India, the strange contrasts between people's æsthetic ideas and the environment which they have built for their living, continuously hurt one's

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eye and offend one's sense of relevancy.

To begin with, few homes in India seem to be the result of any attempt at conscious planning. Things that newly arrive from the shop seem to have no relation, either in harmony or design, to articles cherished, protected, brushed, swept and cleaned for years past. Furniture, old and new, of all sorts of colours, sizes and shapes, is crowded to suffocation. The fallacy seems to be that the nearer the drawing-room approximates to the conditions in the furniture-shop, the more impressive and comfortable it must be! The whole thing is a mishmash. The haphazard mixing of different types of furniture and the overcrowding of rooms with a multitude of gimcrack and tawdry things is the usual feature of our "cultured" homes!

Let us go back to simplicity, and along with it, let us give some thought as to how we can assemble and arrange articles of beauty as well as utility in their proper places, with an eye for producing harmony between living and its setting. Let us fill the empty spaces in our rooms that used to be left by the void of utter bareness in the past, with things that might speak of cultivated taste and imagination.

Indeed, the first requisite for the efflorescence of a distinctively Indian style of house decoration and furnishing is that individually we must begin to foster in ourselves a love for the home beautiful. European types of furniture have more or less come to stay; for, we can scarcely go back to that state of things when people used to squat on the floor, sleep on the floor, and when the floor was our lounge. We may not all afford mural decorations on our walls, but each one of us can certainly try, within the resources at our disposal, to make such homes for ourselves as would express our æsthetic love and also have an agreeable atmosphere of its own. By all means, let our homes be Indian; and to make them Indian, we only need to take the trouble

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of choosing for ourselves things which are Indian, and not be guided by vogues which shop-keepers might try to introduce.

Few countries can show so many handicrafts and such a variety of things both decorative and artistic as India. The one province of Kashmir can provide a profusion of beautiful things—its lovely embroideries on cushions, curtains, bedcovers, table-cloths and *numdahs*, its chased and engraved silverware, its wood carvings, *papier mache*, etc. Handprinted textiles come from different parts of the country; and these have a colourful gaiety and fascination which is unrivalled. The colour engraved brassware of Jaipur and Moradabad; the bidri-work of Bedar; lacquered articles of Mysore; the ivory carvings and the blue pottery of Delhi; the black and brown potteries of Chunar; the filigree silverware of Cuttack and Dacca are among the multitude of indigenous things which might go to decorate our modern homes. Unfortunately, the existing marketing methods of these products are such that they are not available in any one place or shop. The people of one province are often completely unaware of the products of another province; they do not even know of the articles which are produced in their own province. Swadeshi exhibitions, which are held from time to time at different places of the country, have helped, to some extent, in bringing the arts and crafts of India to the notice of the people. The Government Arts and Crafts emporiums such as those of the Punjab, the United Provinces and Mysore State have also contributed to the arousing of people's interest in things both Indian and beautiful.

Thus there is no dearth or lack of artistic goods in India with which we can seek to create not only beautiful homes for ourselves, but also help towards the development of a style of interior decoration which, in course of time, is bound to be recognized as charac-

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teristically Indian. It seems a pity that very few of us have given any serious thought to the possibilities of interior decoration as an art in the India of to-day. In countries of the West, women's magazines and journals entirely devoted to house-furnishing and decoration have made a tremendous contribution towards teaching the average woman how to appreciate articles of beauty, how to create a beautiful setting for the home, what things to select and what to reject. Behind every beautiful home there must be a preconceived plan to suit one's purse, taste, and pattern of *being*. A magazine devoted to interior decoration could do a great deal to create an interest among the cultured people in the directions in which we could establish the place it deserves in our national life. Existing women's magazines in the Indian vernacular languages could profitably devote a section on this subject. Being the home-makers, if women would take sufficient interest, it should not be long before a characteristically Indian style of interior decoration springs up. Furthermore, it might open up a new field of career for Indian women.



## CHILDREN AND THEIR UPBRINGING

*By VIJAYA LAKSHMI PANDIT*

So much has been said on the subject of children during the last decade. Their upbringing, education, morals have been discussed from every point of view;—and all thinking people agree that the child is an individual, a separate unit, and not to be treated as a plaything. Yet how many people, in spite of their professions of love for children, are putting these new theories into practice in their own homes? The average Indian child to-day remains very much where he was a generation ago, and no effort is made in the home to give him the help and training which will fit him for his work in the world.

Children are a responsibility, and to bring them up and train them so that they may grow into beautiful and fearless men and women, free from restraints and repressions, who give of their best to society and the country, is no easy matter. It is an art, and like every other art requires careful study and infinite patience and sympathy. Without these it is practically impossible to train a child.

The old theory that every mother is glad to have a baby and every father is proud and happy in providing for his young is not true to-day when the struggle to earn a living is becoming more and more acute. It is all the more necessary, therefore, to remind parents of their duties towards their children. In India this reminder is specially required—for here we are apt, in an excess of respect for the old, to neglect the young. We expect our children to grow up and serve us as we

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have been taught to serve our elders and our training is often such as will fulfil our own selfish ends. How utterly wrong this is, is apparent to any one who will stop to think about it. Our children are not born to serve us—it is we, rather, who should serve them; for the future is theirs and if we will only help them, it can become a future full of possibilities and beauty. That parents alone are the best judges of what is good or bad for their child is no longer believed to be correct by thinking people. Children are individuals with definite rights; and those who would train them must first train themselves and show themselves worthy of the great gift of their confidence, for without this no parent can succeed.

There can be no technique for handling all children alike. Each child is different from every other child and has his or her special problems. The old method of bringing up all children in the same way has proved disastrous. As a rule, children docile and well-behaved, allow themselves to be moulded to the required pattern but the effects of such training are often seen in later life, which is a sad tale of hysterical outbursts and repressions, often leading to a great deal of misery. The parents are astounded and grieved. Hardly ever do they realize that they alone are responsible for the wretched life of these individuals. This picture is true of India to-day where the child is perhaps in a more difficult position than ever before. He is the unconscious victim of the conflict between old and new ideas in his home, and suffers greatly.

A young couple, full of enthusiasm for modern ways, may desire to bring up their child in accordance with the new theories but their efforts prove fruitless if, in the home circle, there are people of an earlier generation, suspicious of modern thought, who cannot appreciate the value of new things. They apply old solutions to new problems thereby frustrating the

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efforts of the young.

How can a child develop in such an atmosphere?

In many so-called "modern" homes the child suffers as much though in a different way. The mother is perhaps an admirer of the West. She leads a life consisting of a round of social visits, paying undue attention to clothes, parties, and the acquiring of a superficial culture. She naturally has very little time for, or sympathy with, her children unless they are docile and of the required type. Children have no patience with artificiality nor have they much use for a lady-like mother. What they want is a human being who will love and understand them and share their interests, and not a well-dressed doll. Life is a serious business to the average child. He is keenly interested in it and if he finds his mother lacking in all appreciation of the things that interest him most, there can be no sympathy between them. The thing then is to know your child; to show your appreciation of him as an individual, and to make him feel that you and he have a common aim in life; and above all, to make him realize that you are his friend—ready to help and encourage him and share his joys and sorrows. Let him be your partner in the business of Life—sharing responsibilities and facing difficulties when they arise. Then only will your child develop as he should and give of his best to the world. The health of the child does not receive sufficient attention in Indian homes. There is no fixed time for meals or bed, and no regular outings. Little thought is given to suitable food. If it is tasty and the children eat it up, the average mother is content. The thought of vitamins does not worry her.

Corkal feeding should begin from birth and continue throughout the time the little one is growing up. The food given to children should be plain and nourishing and free from spices and should be made as attractive as possible. It is wrong to imagine that a child will

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eat things just because they are placed before him. Like the rest of us, children appreciate food which is served attractively. I have often seen my children eat and enjoy some plain and unsavoury dish if it was daintily served!

If your child is inclined to be fussy over his food he should be left alone and never tempted or forced to eat. This is a fault common to many Indian mothers. If a child refuses a particular dish they coax him to eat by giving him something more tempting, with the result that the child becomes more and more fussy and demands all sorts of foods injurious to his health and growth. Grandmothers and other old ladies of the family specialize in this type of wrong feeding. I will give an instance from my own experience.

A puny cousin was coming to stay with us. Days before his arrival his grandmother sent letters containing minute instructions about his food. He did not eat this, that, and the other. He must have crisp fried potatoes with every meal. He hated milk, etc., etc. I groaned and prepared myself for an unpleasant time. The youngster arrived. At breakfast time the usual food we are accustomed to eat was placed before him. He hardly ate anything but refused to allow any special dish to be served to him. For a couple of days he starved eating only a little fruit but after that he decided to give our food a trial—and, before the end of the week he was eating heartily and enjoying his meals! I do not know what happened when he returned to the doting grandmother. I have not had enough curiosity to enquire!

Over-feeding should be avoided. A growing child needs plenty of food but on no account should he be allowed to overeat just because a particular dish is pleasing to the palate. This is a habit small children easily fall into and does much harm.

Heavy meals at night are a mistake. The last meal

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should be given fairly early in the evening. With my own children I have found a "high tea" about half past four o'clock quite sufficient followed by a glass of hot milk and a couple of biscuits at bed time. Children sleep much better and more peacefully on a light stomach.

The usual diet of a child should include all kinds of fruits, vegetables, salads and plenty of milk. Those who are not fond of milk should be given preparations made of milk such as Khir, Puddings, etc. Going to bed early should be strictly enforced by every mother. So many Indian children stay up until late hours, either studying or listening to the conversation of the grown-ups. Both are injurious habits. Little children should do all their studying by daylight and no lessons should be considered important enough to be done after sunset. There should be no excitement just before bed time as it disturbs the peaceful nights' rest,—so necessary to growing children.

Bed time is, however, the best time for "mental-suggestion." If there is anything you wish to lodge in your child's mind to affect his inner consciousness and form his character, it can best be done at bed time. Any suggestion made to the child before sleeping will work on the subconscious mind and produce a good result. Before a suggestion can take root in the mind it must be frequently and tactfully repeated but there must be no insistence about it. This is a good way of correcting small faults in a child and I have tried it on my own daughter with excellent results. She was very timid and terribly afraid of the dark. It was impossible for her to sleep unless there was a light in the room and some one sat near her, and she would wake up even from a deep sleep if left alone. After some weeks of effort on my part she was able to shake off her fear of the dark and to-day sleeps happily alone in a room a good distance removed from mine. But the great thing is that the suggestion to sleep alone came

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from her. She is not aware that I had any part in it.

No attempt should be made to use suggestion when the child is angry or in a mood of opposition, for at such a time the mind is not in a receptive state. But suggestion made at the right time and in the right way must produce the desired results.

Physical exercise should form an important part in the daily programme. Some exercises alone in the open air and a sun bath for a few minutes every morning can work wonders in a child's health. For the growing girl or boy in their teens these morning exercises are not enough. There must be something more strenuous, and where games such as tennis, hockey, etc., are not possible, at least a brisk walk should be insisted upon. Too much emphasis cannot be given to the value of physical exercise and correct food. When Indian parents have realized the importance of these two things in the lives of their children we shall have a stronger and more beautiful Young India.

I would like to say something here about the attitude of grown-ups to children in some important matters. How often do we find parents scolding their children for not being truthful. A little child is a creature of imagination. He builds fairy castles and makes believe that he lives in a wonder world inhabited by all the characters from his favourite stories. In this mood he will often say things which may annoy the practical parent and not seem strictly true. Few people make an effort to understand this phase of a child's life. They grow impatient and accuse the child of foolishness or falsehood. He is confused and cannot understand why you should accuse him of being untruthful—and if the parents persist in this attitude the child may even grow into a liar. It does not necessarily follow that an imaginative child grows up into an absent-minded man or woman. My little daughter had an illustrated edition of "Alice in Wonder-

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land" given to her on her fourth birthday. She could not read at the time but I read the story to her and it so captured her imagination that for days together she was "Alice" or the "White Rabbit" or one or other of the characters. The same child some years later laughed at her small sister who, having seen the film "Alice in Wonderland" started doing the same things she herself had done only a short time previously. All my children between the ages of two and five have related to me the most impossible stories as having happened to them. They were in dead earnest and really believed every word they said. A patient hearing was always given them and, as they grew older, they gradually left the World of imagination behind. They certainly have been free from untruth.

Ridiculing a child is another serious fault of which many grown-ups are guilty. A child may say something in all seriousness which may appear to us amusing. We laugh at him and make fun of what he has said. The poor child does not know what he has done and is humiliated. He loses his self-respect and confidence in his elders and retires within himself for fear of further ridicule. If this sort of thing occurs frequently, children become self-conscious and cautious. They hesitate to ask questions for fear of being thought foolish and ignorant, and by our stupid and thoughtless conduct we deprive them of one of the most essential things in life—self-expression. Parents who wish to build up the personality of their children should make it a rule never to ridicule any remark of theirs. This will do much to strengthen the bond between parent and child. Do not blame your children every time they do something you do not like, rather try and praise them when they have done something worth while and they will themselves stop doing the undesirable things.

A word about punishment will not be out of place. Corporal punishment is a relic of the prehistoric past.

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It may be a good enough method of frightening bullies but cannot reform a child. Punishments frighten a nervous child and antagonize a brave one. In the old way of upbringing which unfortunately exists in many Indian homes, corporal punishment was inflicted without the least hesitation. ‘Spare the rod and spoil the child’ was a well-known and much respected adage of Victorian England—but in this more enlightened age when the importance of suggestion and the value of love and gentleness are known to us, punishments, corporal or otherwise, in any home cannot be excused. In my limited experience I have never come across a child who has derived any benefit from punishment. Children can be sorely trying at times and an active and unruly child may tire one out and make one lose all patience—but no children are ‘bad’ and the number that might benefit by punishment is exceedingly small.

Under no provocation whatever should a child be threatened. Threats may ruin a highly strong child’s nervous system leaving patches of fear on the mind which will influence it subconsciously throughout life.

It is important that the power of observation should be developed and that children should take an interest in various things. Much of ones success in life depends on how far one is able to interest oneself in the World. There are already too many men and women who, while surrounded by interesting things are unable through lack of training, to notice or appreciate them. It is easy to teach children, to be observant, as they are quick to notice. With a little help from the parents the power to observe can be developed. It has many advantages, the most obvious being that those who take an interest in many things can never be in the same bored condition as those whose life is dull through lack of hobbies and interests in the world they live in. Personally I feel too much importance cannot be attached to this.

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There is a growing tendency towards boredom in our young men and women, and this is in most cases due to the fact that these young people have never been trained to look beyond their own small circle and, in consequence, have no interests or attachments with the world outside. It is most essential for parents to mark this and see that the training given to their children is such as will widen their outlook on life and give them interests outside the home.

An article on the upbringing of children would be incomplete without some reference to the important question of sex-education. Sex-education suggests the need of passing on to one's child certain facts about life—but how to impart these facts in the right way remains a serious problem to the Indian mother. In many Indian homes the question whether any sex-education should be given at all is still being discussed, while the children of the family grow up and instead of turning to their parents, go for the information they require to sources which are often contaminated. We must however, make a clear distinction between sex information and sex-education. The former process is going on all the time. Whether we wish it or not our children are absorbing from what goes on around them various ideas and feelings regarding all phases of life. The question before us is not whether to give sex-education, but in view of the sex information which our children are absorbing all the time, to consider what form of sex-education we are to give. And here again it is necessary for many of us to change our own attitude towards sex before we approach our children. In order to establish in children a wholesome attitude towards sex it is necessary that the people who surround them should themselves have a wholesome and rational attitude on the subject, as it is from them that the child will gradually acquire his standards and learn to distinguish between what is considered good and what is

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undesirable.

Sooner or later every mother is faced with the question "where do babies come from?" She may be unprepared and unable to give a right answer; yet the wrong answer to this important question can, according to child-psychologists colour a child's whole life and destroy that bond of sympathy which should exist between the child and its parents. It should be realized that the embarrassment which parents may feel at this question is quite foreign to the child because at this time he has no idea of sex. It is simply a matter of satisfying his desire for knowledge. A child cannot understand everything at one time and information must be gradually imparted according to his age and to satisfy his need for knowledge by instalments. Thus while the whole truth is not acquired by him at any one time whatever is stated is frank or true. By meeting every question frankly as it arises, you will retain the confidence of your children and they will remain in close sympathy with you. I have had this experience with my own children and the extreme trust my eldest daughter, now nearly twelve years old, has in me and her firm belief that under no circumstances will I tell her an untruth is reward enough for any moments of embarrassment I may have felt at some of the questions she has from time to time asked me.

How one should answer questions relating to sex cannot be discussed here as it is beyond the scope of this article. To do justice to the subject a whole chapter should be devoted to it. There are many books now available written by eminent men and women who have made a study of child-psychology. I would advise every mother to read some of these.

There is just one point I would like to mention before closing this subject. When you talk to your small son or daughter about sex, or when you are answering some of the questions they put to you, talk to them as im-

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personally and objectively as you can. Do not talk in hushed whispers making a mystery of the subject. The child must acquire his information as a matter of fact and not have suspicions, as so often happens, that certain subjects are unworthy of understanding.

As our children grow, their knowledge of life must grow also and we shall be called upon to discuss various subject with them. We must not fail them at this time, and their questions, however difficult, must be openly and frankly discussed. Mrs. Gruenberg in her able book says "The guidance that parents can furnish is a continuous process and if the early stages have been well-managed we shall not be deceived or disconcerted by that gesture of defence which to so many blind adults means indifference and defiance. It is only by retaining this continuous sympathy and understanding that we are enabled, in critical years, to see with the eyes of youth itself."

I will end with one more plea for children. Encourage them to be courageous. Let them grow up brave men and women—facing life's difficulties with a stout heart and preferring the rough and narrow road that leads to the heights rather than the easier one in the valley below. Teach them to be loyal. There is no more beautiful word in any language. Its echoes reaches us through the ages and its glory shines round the memory of countless brave men and women. Loyalty to friends, to ideals, to the country and to a cause—what better training can we give our children than this that they be loyal to their ideals and to their country's cause? Loyalty has come to have a restricted meaning in India to-day, let us rescue the word from its degradation and put it back where it belongs amongst the things that make life worth while. Let it be the guiding star in the lives of the new generation.

The children of this age will have to face a hard world. Prepare them to face it worthily, with honour to

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themselves, to us, and to the country. Let us not get involved in trivialities. Let us have real values so that we may be able to hand them to our children. Let us set the children free. We have had enough of slaves and slave-mentalities. In the words of the eminent American, Will Durant—let our children be free even to disappoint us. No one can say what is right for another. Let them choose their own path and define their own good. It should be enough for us that they have come, and that into this life—so questionable in origin and so obscure in destiny,—their laughter has brought sparkling fountains of delight.



# **HEALTH**



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*By KISHWAR RAHMAN*

Health was symbolised amongst the ancient Greeks by the Goddess 'Hygeia' the source of the modern term Hygiene. Hygiene is thus a branch of knowledge, which has gradually developed into the science of Preventive Medicine from a recognition of disease, the factors leading to its incidence and spread and the finding of its cure in the individual and the community. It may really be regarded as an art of maintaining the human machinery at its best. It is an art which is everyday tending to become a science.

The highest efficiency of any machinery can only be ensured by a perfect and harmonious adjustment of its parts to one another as well as by a judicious protection of them against unequal wear and tear; likewise the human machine may be kept at its fullest functional capacity when all its diverse functions are unhampered, well-balanced and well-adapted. In the words of Andrew Clarke, "Health is that state of mind in which the body is not consciously present to us, the state in which work is easy and duty not too great a trial, the state in which it is joy to see, to think, to feel and to be." This is, however, a comparatively modern conception of health. Let us, for a while, go back to the ancients to see how this conception gradually developed.

Scientists tell us that the march of human progress has only been possible due to the extraordinary development of man's brain and his social instinct coupled with the faculty of reasoning otherwise called intellect.

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It is this last faculty, which really made it possible for the man, who was struggling and toiling for his very existence in the Glacial Age, to conquer and master ultimately the rest of the creation in the Universe.

We find that other animals of the same class mammalia to which human beings also belong, appear more or less contented in the surroundings in which they are placed, only seeking food for their maintenance, fighting their enemies, reproducing their like and passing away. Man perhaps did the same for a time but perhaps with the growth of his sense of struggle for existence and his innate spirit of perseverance, he was enabled to put up a tough fight against heavy odds of animal force on the one hand and physical environment on the other. Soon another factor hardened his life and there was constant fighting between rival groups of men and groups of people migrating from one place to another. This sort of life, arduous and hard as it was, necessarily demanded a high degree of physical strength, capacity and endurance. No wonder then that the ancients measured their health in terms of these qualities, which were considered essential not only for leadership but also for wooing women in marriage.

The importance of pure air, the value of sunlight and the indispensability of good food and vitamins had not dawned on them as they had all these in abundance in the life they were leading. Disease was considered a mysterious happening, attributed to some evil spirit entering into the body of the patient, some demon possessing him or some evil eye afflicting him or an enemy playing magic on him. The prevention of disease therefore, consisted in wearing of charms, chanting incantations, playing counter-magic and performing certain rites to propitiate gods and deities. Quite a number of people all over the world and particularly in India regard diseases

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like small-pox, chicken-pox, measles, plague, epilepsy and hysteria and a hoard of other diseases in the same light even to this day.

The son of Htebh, a cave-man, was taken ill. The symptoms show that probably he suffered from epilepsy. Htebh tried all his magic but failed. He was very sad, the boy was lying prostrate, and the grandmother of the boy had let out some blood from the arm of the boy by puncturing a vein by means of a fish-bone. The method had been tried several times before in the hope of flowing out the evil spirit with the blood. The method had repeatedly failed to have any effect. The priest was called to help the son of Htebh and also the medicine man Astor was summoned. He announced that the devils, which caused convulsions and unconsciousness, inhabited the head—we must give Astor the credit of hitting the mark so correctly, although so ignorant of the real cause of the trouble. The priest tapped his forehead and decided, “We must give them a way to get out, we must make an opening there”—pointing to the head. The trephiner was called, the limbs of the miserable youth were held fast, his head was put on a stone and with a pointed stone implement an opening was made in the middle of the head and the wound was dressed with some dried moss. Archæological finds have revealed a number of skulls with such openings.

This shows that the ancient man puzzled over the problem of disease, was not satisfied with magic and charms alone but he successfully performed with his crude stone implements, an operation which is a major one in modern surgery. Side by side with the use of these methods the ancients also learnt to use certain herbs and vegetables and seeds of plants, which they observed certain animals eating when they appeared sick. Castor-oil seed thus early came to be used as a purgative.

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The fact that they explained it by attributing the properties of a god to the bark, and the properties of a devil to the fever, is an illustration of how primitive man's mind worked—rational observation and divine explanation hand in hand. It still does so more or less in the same manner.

The discovery that the germ of malaria is carried by female anopheline mosquitoes is almost recent but the cure of malaria was long known to the primitive man. He could not take any preventive measures like the prophylactic use of quinine, use of mosquito-nets and eradication of mosquito breeding grounds by oiling water-collections, filling up excavations and ensuring proper drainage of water-logged areas, as he was quite in the dark as to the nature of the disease and the way it spreads. Instances can be multiplied to show how the simple facts about common diseases, as we call them now, evaded man's grasp and baffled him for hundreds and thousands of centuries. Want of exact knowledge gave rise to various notions about diseases and this partly accounts for the fact that the cure of disease was early associated with religious beliefs and practices. It must be acknowledged with justice that certain of the religious practices and commandments have contributed their greatest quota to personal hygiene.

Further the fact that the oldest books in the world are medical treatises amply proves man's pre-occupation with the ills of his own flesh from the remotest past. The oldest book in the world is 'The instruction of Ptah Hotep,' a letter of advice from a father to his son, written some 3,200 years before Christ. It comes to us from Egypt and contains elaborate instructions regarding Kings and medical knowledge.

"The custom of having temple hospitals passed over from Egypt to Greece and the Greeks soon made magnificent health resorts of them. The famous temple

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of Epidaurus in Northern Greece was a striking example of this mode of medical development. At Epidaurus there were abatons, that is places in which to walk during the day and for lofty airy sleeping quarters at night with southern exposure under an open colonnade. A series of bath houses provided for hydrotherapy. Every form of occupation of mind was furnished." The Greek temples thus served more as 'Preventoria' than as hospitals.

"The sanitary code of Jewish people, which is contained in the Old Testament is one of the greatest triumphs of Sanitary Legislation that the world has ever known. As Garrison says 'The ancient Hebrews were in fact the founders of Public Hygiene and high priests were true medical police.' We find therein directions as to segregation, disinfection even scraping of walls or destroying them completely and the burning of patients' clothes and other fomites. This was the beginning of social hygiene as a science." There are also found commands concerning prophylaxis and suppression of epidemics, of venereal disease and extermination of prostitution. Elaborate instructions are given for the care of the skin, baths, clothing, food and housing. Regulation of labour and sexual life is also commanded. In all these commands the conditions of time and climate are surprisingly rational even if viewed from the principles of modern science.

Nevertheless it took no less than 50,000 years from Htebh to Hippocrates (about 460 B. C.), rightly called the father of medicine, who was the first to take a rational view of disease and divorced it from the thoughts of evil spirit and magic, etc. "All that a man of genius could do for internal medicine with no other instrument of precision than his own open mind and keen senses, Hippocrates accomplished and with these reservations his best descriptions of disease are models of their kind to-day."—Garrison. He minutely observed

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his patients, took careful stock of all the events in their illness and circumstances leading to it as well as of their surroundings, compared them with one another and noted the results. He was thus the founder of medicine and perhaps the first of men to attempt to interpret his sense experiences rationally. He conceived of four elements: earth, air, water and fire. He propounded the humoral theory of disease that body contained four fluids or humours namely blood, phlegm, black bile and yellow bile and when the balance between these was disturbed disease was the result. This theory was upheld throughout the middle ages and even during the period of renaissance till the discovery of micro-organisms as the causative agents of various diseases. It is still believed in by the Hakims and Vaidas of the country and the Vedic and Unani systems of medicine are based on its principles. Hippocratic Oath and his aphorisms are very well known to the medical world and a couple of them given below will enable our readers to judge how ahead he was of his time.

“Neither hunger nor satiety nor anything that exceeds the natural bounds, can be good or healthful.”

“Whoever is desirous of prosecuting his medical studies on a right plan must pay a good deal of attention to the different seasons of the year and their respective influence.”

Space forbids to dwell on the subject of the development of the science of medicine and art of healing in the subsequent centuries after Hippocrates, at any length in the compass of this small article. Suffice it to say that the seeds of this knowledge that were sown by the ancients, Hippocrates and Galen, etc., and their disciples were admirably looked after by the eminent physicians and writers of the middle ages like Rhazes, Ali Abbas and Avicenna in Arabia; Abulcasis, Avenzoar and Averroes in Muslim Spain. The ripened harvest of these ages was ultimately gathered by the harvesters

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of the renaissance period in the sixteenth and seventeenth centuries.

The most interesting feature of the middle ages was the foundation of a medical school in Salerno, a province in Italy. This school had four doctors, of whom one was a Jew, another a Greek, a third an Arab and a fourth a native of Salerno. The School is best known for its Manual of Health, called *The Regimen Sanitatis Salernitanum*, the popularity of which can be imagined from the fact that it was widely circulated in manuscript long before being printed. It ran into twenty editions before 1500 A. D. and altogether 300 editions of it have appeared up to the present time. Contrary to previous books, it was the first book written for popular information, and the sponsors of the book may rightly be regarded as the fathers of modern Public Health, for undoubtedly health education is one of the most potent means to ameliorate the health of any community.

The Salernian physicians summed the treatment for sick persons, when they declared that for ailing people the three great physicians were :

“Doctor Quiet, Doctor Diet and Doctor Merryman, (rest good food and good cheer).”

After this came the period of Renaissance. Italy became the centre of learning from about the middle of the fifteenth century when Vesalius, a Belgian came there to study anatomy the most fundamental and basic science of medicine. William Harvey, the great Englishman, to whom the discovery of the circulation of blood is ascribed also studied in Italy. Thus all the basic and fundamental sciences of medicine namely anatomy physiology, pathology, bacteriology, chemistry and physics were studied there by eminent scientists of their age, who came for the purpose from different countries of Europe.

Let us now turn to our own country to see what

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contribution she made to this science. In India we do not find any authentic records before 1800 B. C. but certain customs, rites and practices, which persist even this day in India conclusively prove that here also the trend of thought was the same as in the rest of the world. High standards of health prevailed in India during the sway of the Vedic and Brahmanic religions. The Vedas set forth an elaborate hygienic code concerning diet, varying it with seasons. The Aryans who came down from Central Asia seem to have had a strong sense of personal cleanliness. Tice in his treatise on Medicine describes the progress of India thus:—

“Other ancient races made systems of medicine that are interesting. Brahmanical medicine in India has recently attracted much attention. The three great teachers were Charaka at the beginning of our era, Susruta in the fifth century A. D. and Bagbhata in the seventh century A. D. Susruta’s work is the great storehouse of Indian surgery. Diagnosis was particularly dwelt upon and involved inspection, palpitation, auscultation as well as special observation. Susruta described malarial fever attributing it to mosquitoes and knew that the rats were connected with the spread of plague. Indian medicine had an extensive *materia medica*. The Hindus were particularly clever in their teaching of surgery and used all sorts of models for that purpose. They had an immense number of surgical instruments and did many operations, though they had not learnt the use of ligature but checked haemorrhage by cauterization. They performed the Coesarian section excised tumours and did lithotomy. They were successful in cataract operations and secured wonderful success in plastic surgery of all kinds. They remade the nose and the lips and did skin grafting very ingeniously.”

Dr. Cumston (Geneva) in his History of Medicine makes brilliant references to the profound surgical knowledge and skill of the Hindus. He says that the details of operations on the abdomen make one feel that modern surgery has practically made no advance on them.

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Is it then too much to imagine that the people of India who were so advanced in the art of healing would have never ignored preventive medicine to any extent particularly when they knew, thirteen hundred years ahead of the rest of the world, that mosquitoes spread malaria and rats plague.

The standards of good health, it seems, have always been for the chosen few to follow, irrespective of caste, creed and country and for them these have varied but little either on account of their favourable position in life or due to their better knowledge and better sense. For the masses, not only in this country but in others also, these standards have generally varied in proportion to their economic servitude. In the first place they generally remained ignorant, and in the second place if they knew the rules of good and healthy living, they either did not care to practise them or were denied the opportunities to follow them. We have evidence of the former fact in our own days. How many of us knowing the laws of good health and healthy living care to practise them? As for the latter, imagine the effect of instructions given to a sweeper or poor labourer on the importance of clean houses, healthy and well drained localities, good light and ventilation in rooms, and balanced diet, etc., when we have forced them to live in the slums of the town, denied them the privileges of society and above all forced them to accept a remuneration, which is hardly sufficient to afford them the cheapest food available. No wonder then we find the teeming millions of India living in villages in a most primitive state perhaps no better than that of the cave-men. Dark and ill-ventilated mud houses and huts, with one solitary opening or entrance, the walls studded with cow-dung cakes and low thatched roofs are but too familiar a sight to sojourner in these areas. Added to this are heaps of rubbish all round, fields strewn with human excreta and other filth anywhere

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and everywhere, filthy water soaking in front of every humble dwelling, and *katcha*, topless (without coping) wells, contaminated by indiscriminate use and bathing over it and above all polluted by the filthy water flowing from the excreta-ridden fields to the land around the well and soaking in it. All conspire together to complete and finish a picture of insanitation and ill-health that glares one in the face.

When almost all the civilized countries in the world have attained a high standard of healthful living by stamping out infectious diseases or more accurately the communicable diseases carried through water and food, and other agencies and are now engaged in measures to improve the physical and mental stamina of their people, India is as yet battling with the problem of controlling cholera, plague and small-pox, which have become unknown in the west through better standards of living and mass-immunization by inoculation and vaccination. Here the infection of cholera is kept up through fairs, flies and contaminated food. Small-pox continues through unvaccinated children and like other factors.

With the lifting of the fog of ignorance about the nature, mode of onset and spread of diseases in the west, a reorientation in the conception of health took place. The negative conception of health namely freedom from disease has been replaced by a positive conception of health, which recognises that 'Health' is that state of an individual, in which the body enjoys an optimum capacity for adaptation and ability to react, adjust and re-adjust to its environment in a manner most beneficial to itself. Further the greater the demand on the body for this process of adaptation, the lesser will be the reserve of this capacity to meet the exigency of disease. In other words one who has to react constantly to the inroads of diseases in an unhealthy environment, shall have a constantly decreasing

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or depleted reserve—otherwise called low resistance or vitality—to combat disease.

It therefore follows that for ensuring good health, an individual should have maximum reserve capacity or vitality for adaptation and be placed in such an environment that may make minimum demands on this reserve. To achieve the former objective the individual should have a good physique, well regulated and exercised body, properly nourished and functioning. To achieve the latter, the environment should be sanitary—clean, airy, with plenty of sunshine, proper drainage, pure water supply, provision of wholesome food, absence of the causative agents of diseases and the agents that spread them.

Recognising these two facts the modern hygiene or better called preventive medicine falls under two main heads—Hygiene proper and Sanitation. The former comprises the study of the laws of personal health—rules for the cleanliness of body, for diet—its quantity, quality and frequency of meals, for hours of recreation and work, of exercise and rest. It includes the measures for personal protection against communicable diseases.

The latter namely sanitation deals with the environment as affecting the health of individuals constituting a community. It includes the consideration of cleanliness of dwelling places and healthy management of home, particularly with regard to lighting and ventilation, fresh air, wholesome food and healthy soil. It considers the principles of town-planning, methods of disposal of waste, collection of vital statistics, control of food-supply and prevention of its adulteration, discusses diseases of occupation, industrial hygiene, school hygiene, control of epidemics, disinfection, quarantine, isolation of contacts and preventive inoculation. The latter branch is also called State Medicine or Public Health. It is so called as it is controlled and administered by the state through pro-

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mulgation of laws and passing of Acts in order to prevent the occurrence, development and spread of diseases among communities. Many of our readers will be familiar with the Vaccination, The Epidemic Diseases, The Food and Drug Adulteration and Indian Factories Acts. Then there are large number of laws and bye-laws to the same effect under the Municipalities Act.

Public Health "aims at the promotion of health as well as the prevention of disease. It deals more particularly with mass phenomena of the community than with problems of the individual, despite the fact that public health is the sum total of individual health..." (Rosenau)

All the progressive nations of the world have therefore well-organized Public Health Services to-day and have achieved remarkable results in clearing certain parts of the world from the ravages of Malaria and other deadly diseases and turned barren lands into fertile fields. About a hundred years ago, public health measures were organized in England. In India the East India Company had sanitary advisers for its administrative officers from the very beginning, but the first beginnings in public health activities were made in 1864, when the Government of India appointed Sanitary Commissioners for Bombay, Madras and Bengal. Later these came to be designated as Directors of Public Health for a province. In those days the District Medical Officer or the Civil Surgeon used to be in charge of sanitation of his district. In 1889 Madras University instituted Licentiate and Bachelor qualifications in Sanitary Science and the lead was followed by some other universities in India. At the same time non-medical but educated men were trained in the principles of sanitation and employed as Sanitary Inspectors to work under the supervision of Medical Officers of Health. Still later, the nucleus for a Public Health Service was laid; almost every Municipality and every District Board was compelled to have a medical

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officer with Public Health qualifications to look after the Public Health of the local bodies concerned. These District Health Officers and Municipal Health Officers were placed under the Director of Public Health, who was also given a few assistants of the rank of Assistant Director of Public Health.

This is briefly speaking the organization, which, with certain technical changes after the reforms of 1921, is working according to its equipment for the better health of the community. The accomplishments of this nation-building activity in India, though commendable in view of the resources at its disposal, are as yet negligible compared to other countries. Whereas the expenditure on environmental sanitation in England and Wales alone is £31 millions (about 43 crores of rupees), the Public Health budget of the United Provinces is only about 15 lakhs and if to this is added the total amount that the local bodies may be spending, the net expenditure, though figures are not available, is not likely to exceed the most liberal figure of 50 lakhs of rupees. It may be remembered that the area of England and Wales is about half that of U. P. and the total population about its two-third only. It may be conjectured that the expenditure in England will not be equalled even if the expenditure for the whole of India on Public Health activities is put together.

It will be recognized on all hands that Public Health activities have wrought enormous improvements in the physical, mental, social and economic conditions of the people in the West. Infectious diseases have been reduced to a very low percentage, death-rates have been brought to one-half, one-third or one-fourth of the previous figures, enormous increase in products of the country has taken place and the populace has naturally grown happier and healthier.

Our country can also justly aspire for this future if her people prepare themselves to work to this end.

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But the problem is how to work to this end without adequate money for the purpose. For a nation to become wealthy it is essential that the basic wealth, 'HEALTH,' should be accumulated, which in turn requires a sound investment in the nation-building departments of Education and Public Health including the Medical. A sound educational policy is necessary which should impart the fundamentals of good living, with a view to turn out useful citizens physically strong, morally good and intellectually efficient—and not merely provide a ground for preparing recruits to various offices. This is no place to outline an educational policy to supplant the present one, but indeed it is necessary to urge in this connection that it is high time to include the study of hygiene as an integral part of school as well as University education. Unless young children in schools are taught the advantages of personal cleanliness, importance of including proteins, fats carbohydrates, salts, water and vitamins in requisite proportions in their diet and in what stuffs precisely to get them, the value of milk as an important article of diet for growth especially for vegetarians, the measures to avoid infectious disease and to protect other people from catching it by preventive inoculations and isolation of the sick, education fails in its fundamental duty. Further it commits an irreparable blunder if it does not pursue a thorough programme of physical exercises, graded according to individual needs. Neglect of this important aspect of education and want of proper dissemination of such useful knowledge has been largely responsible for the conditions so eloquently depicted by Dr. Tirumurti in his last convocation address at the Andhra University. He said, "The poor physic of our University students has been repeatedly pointed out in the reports of the Medical Inspections of University students in different parts of India.

I have been myself an eye-witness to the haggard

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look bent back, sunken eyes, emaciated frame and other signs of poor physic of the graduates, who come up in the variegated colours of their academic robes in an impressive procession to bow before the Chancellor and take their degrees. The convocation function, which ought to leave a happy buoyant feeling, has often given me a sense of depression, not only due to the doubts as to the capacity of the graduates to keep their heads above water in the sea of unemployment, into which they are driven from the portals of this University, but also to the melancholy prognosis, that the large majority of them are physically unfit to weather the cruel storms of many diseases, which abound in their neighbourhood.”

The conditions found in secondary schools are still worse and in primary schools worst of all. The scheme of medical inspection in these schools is endeavouring to remove the causes that may be responsible for these conditions, to detect incipient maladies and defects and to rectify them, and above all to create health consciousness among school children. This is another important activity to the same end.

But sanitation comes first in the order of importance. After a community has a good water-supply and an efficient drainage system, it can then give attention to hygiene. It is futile to teach hygiene to those, who because of their circumstances are obliged to live in dark, ill-ventilated, damp and filthy localities and the whole is bound to suffer in one way or the other if a part is allowed to deteriorate in that way.

A nation is like a workshop, the output of which in all branches of human activity entirely depends on the efficiency of the people constituting it. But how can any one be efficient unless he or she enjoys a good physique, a sound constitution, and sufficient nutrition for the needs of the body, that is unless he or she enjoys sound health. A workshop manned with such peo-

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ple is unable to compete with one having healthy workers, similarly a nation, whose hundreds of millions are starving, sickly and physical wrecks cannot expect to compete with nations, which have eradicated these conditions with sound investments in extensive sanitation and hygiene. The argument is often advanced that the revenues of the country are too meagre to meet all the demands of modern sanitation and hospitalisation and we dare say that no improvement in revenues can occur unless and until the present policy of economic exploitation is replaced by sound policy of investments in rural sanitation and construction of a large number of model villages. To say that the antiquated customs and extreme conservatism do not let any useful results follow is as absurd as the grumblings of a business man over his losses, when he refused to do anything for the betterment of his employees, who, he supposed, would not change and ultimately lost them. The starving millions of India lack the first essential of health and that is proper and adequate nutrition and with poor health they make for poverty, which breeds more and more ill-health. Nevertheless it is also true that many people, having all the amenities of life still choose to indulge in unhealthy practices and spend lots of money on wrong articles of diet and court diseases by deliberate exposure merely to cater to their taste and other senses. The panacea for such ills is again a sound investment in health education coupled with practical training in the art of living and sanitation. As has been aptly remarked by an eminent medical authority—"a healthy nation is largely a question of money. Health has to be purchased with money. Like all other good things it cannot be had for the mere asking. A nation must be healthy to become wealthy and it is only wealthy nations that have attained to high standards of health. Judicious expenditure of wealth can create health. The absence of health in-

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inevitably leads to absence of wealth of the nation as of the individual. Everyone should remember that the 'first wealth is health' and that 'within human limits health is purchasable by communities'."

".....a realisation, that health is a dynamic progressive force and that vitality is the inherent, latent doctor in us which resists disease or makes us get well and quick, should engender in us the desire to foster health and to study hygiene, which teaches us how to get and keep health".

In the light of what has been said in these pages, we may sum up by saying that the future of India is resplendent with immense potentialities, should a sane policy of 'Health education', 'Health training' and 'Sanitation' be pursued. It is earnestly to be hoped that with a growing civic responsibility public health matters will attract greater attention of the city fathers, Assembly Members, Legislative and Executive Councillors than any other subject. In support of this pious hope let us quote that eminent philosopher, Schopenhauer:

"With health everything is a source of pleasure; without it, nothing else, whatever it may be, is enjoyable. It follows that the greatest of follies is to sacrifice health for any other kind of happiness, whatever it may be, for gain, advancement, learning, or fame, let alone, then, for fleeting sensual pleasures."

## CHILD WELFARE

*By BHAVANI NATARAJAN*

The Child Welfare movement in India began about twenty years ago. At present there are in all about 600 centres distributed irregularly over the country—the United Provinces with an area of 1,06,295 square miles showing 166 centres and Hyderabad State with an area of 82,698 square miles possessing none at all. The rural areas are practically untouched by the movement. The primary object of these centres was the reduction of mortality among infants but in most places these infant welfare centres have expanded into Maternity and Child Welfare centres where instruction of mothers in the care of their own health and of that of their children under school-age is provided. The reason for this expansion is obvious. Analysis of infant deaths disclosed that a large number occurred under one month of age, suggesting that these were due to causes operating before or during birth. So antenatal care and supervision of maternity work became part of the infant welfare scheme. Then, as work advanced it was found that the 'toddler' was in need of the same attention as the infant. Medical inspection of school children also revealed that many ailments dated from the pre-school period and at many centres children from one month to five years of age are now kept under observation.

These centres however have not resulted in any appreciable difference in the mortality rate of infants. The figures for 1930, 1931 and 1932 are 180·8, 178·8 and 168·7 respectively. In 1915, 1916 and 1917 the figures were 201·90, 202·34 and 205·18 respectively. It is obvious

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that 600 centres are not enough for a large country like India, we want 60,000 at least—and the same number of voluntary agencies to help in the work. In England voluntary work and funds preceded official organisations. Untrained and unpaid workers conducted centres, helped in the bathing and weighing of children, advised regarding feeding, held sewing and knitting classes for mothers, served dinners for nursing and expectant mothers and toddlers, and most important of all, visited mothers and infants in the home. In India few women have come forward to help in this form of social welfare work and the lack of such assistance has been a real handicap to the movement. The illiteracy, ignorance and poverty of the masses, *purdah*, bad housing, overcrowding and lack of hygiene, insufficiency of trained helpers, all these conditions make the aid of voluntary workers an urgent necessity. Two or three small rooms are sufficient for a centre. This accommodation can be had free or at a nominal rent in any part of India. If three or four women get together and approach the head of a village or any locality where they wish to open a centre and discuss the plans with him the rooms will be available without any difficulty. The expenses of the centre will amount to about Rs. 30 per month. A weighing machine, a table, a cupboard and a couple of chairs are the necessary items of furniture. Soap, towels, eye lotions and eyedrops, some ointments and quinine and cough mixtures should be provided in the centre. The number of children suffering from sore eyes and sores is simply appalling, and, if voluntary workers set themselves to remedy no more than these ailments, the results would be striking. Simple rules of personal hygiene like care of the eyes and teeth, daily baths, avoidance of constipation, the value of fresh air and sunshine, must be repeatedly stressed at the centre—often the response will be no more than the grin of one listening to an oft-repeated tale, but the advice must be persistently

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given and followed up by practical demonstration at the centre. The work should not end here. There are many women who will not bother to go to the centre. These should be visited in the home by the voluntary worker. Trained health workers are known as 'Health Visitors' because visiting in the homes is the most important part of their duties. A little sympathetic talk earns the confidence of the mother who may then be persuaded to attend the centre. Visiting is the only way of getting into touch with home conditions which often hinder the observance of simple health rules taught at the centre. Sewing classes to teach the cutting and making of simple garments for children and the teaching of knitting may prove attractive to some volunteers. At present a good deal of time and money is spent in making or buying ill-fitting and unhygienic clothes. Mothers must learn that the napkin, not the *topi*, is the essential part of a child's clothing. Padded coats and caps should be discouraged and mothers should be made to understand how unsuitable and cumbersome such garments are, especially for infants. In many parts of India newly-born babies are not closed till the sixth day and many die as a result of exposure in the cold weather. The bundling up of infants in thick quilts is also a bad practice as it impedes free movement and breathing. Feeding is another section of child welfare work in which voluntary aid is needed. The administration of '*gutti*' and opium to infants and the use of 'soothers' should be strictly forbidden. The value of plain nourishing food given at regular intervals must be emphasised. If the help of a doctor is available the programme of the training and supervision of *dais* might be undertaken. Voluntary workers can also help in the organisation and serving of dinners twice or thrice a week for undernourished mothers and toddlers. In fact there is no section of welfare work which cannot be undertaken by voluntary agencies whose initiative and

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enthusiasm will impart an impetus to the movement. All can help and should help. If a centre already exists voluntary helpers must get into touch with it and do all in their power to make it popular. It is difficult for the few trained health visitors in India to do all the work that is expected of them all by themselves, and volunteers by helping can relieve them of the less technical part of their duties. Magic-lantern film demonstrations on health topics are very educative and should be arranged by voluntary groups where possible.

From the foregoing it will be seen that child welfare work is mainly educational and the help of voluntary societies should be a potent factor in the movement. If this help is not given there is no hope of reducing the infant mortality in India which is a blot on the nation. In England during the period 1896-1900 the infant mortality rate was 156—for 1934 the rate was 59. The remarkable fall in the rate was in large measure due to the maternity and child welfare work now so widely carried on in the country. The secret of success lay in the pioneer work of voluntary groups. Let voluntary agencies come forward in greater numbers to achieve the same results for India—a low infant mortality rate and better health for the surviving children.

The old idea that the primary functions of a child welfare centre is the free distribution of milk and the organisation of "Baby Shows" has given way to a better appreciation of its real place in public health. To-day the centre is regarded as an institution for child health propaganda. But with the awakening of a public health conscience, child welfare work will receive the recognition it deserves as the link between maternity service, on the one side, and education on the other. It will then be the most important branch of preventive medicine. It would be futile to expect a full-grown system of public health amongst us without working for it. There must be constant agitation all along

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the line—for legislation restricting the practice of midwifery only to those who are trained and registered, for primary education, free and compulsory for children between the ages of six and eleven, and for adequate provision of medical inspection in schools. In the development of the national interest in public health, the radio can play a more important part than any other single factor and it is to be hoped that, in the various schemes for reorganisation of Indian broadcasting, the claims of propaganda for this important department will not be overlooked.

The writer is indebted to the Empire Social Hygiene Year-Book for 1935 for the figures relating to welfare centres in India.

## THE INDIAN MOTHER AND HER PROBLEMS

*By LAXMIBAI RAJWADE*

If there is one subject to-day in which every person, be he a man in the street or more highly placed, ought to be interested in, and yet knows next to nothing about the appalling results caused by ignorance and custom, it is the problem of maternity in India.

Motherhood might have inspired poets to sublime flights of fancy or led theorists to philosophize, but to the human race it means existence and growth; and individually to the mother the crisis in her life—her greatest sacrifice for the family, the nation and the race, very much like the candle which burns itself to give light unto others. Motherhood ought to be a natural condition and too great a care cannot be exercised to make maternity safe and healthy. The appalling neglect, the consequence of ignorance from which the mother suffers, specially in India—is criminal and the sooner a thorough investigation is made into the root causes of the growing maternal mortality, and co-ordinated and sustained efforts are made to bring them down, the better it will be for the nation.

It is scarcely possible to deal exhaustively with the subject in so short an article but an attempt has, nevertheless, been made to present the relevant facts figures and to suggest simple and practicable remedies.

It need not be emphasized that from the stand-point of national welfare maternity is one of the major and most vital public health problems in India and the high figures of maternal mortality can be said to be one of the tragic absurdities of our national life.

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Before a discussion of the subject proper it would be enlightening to give a comparative statement of maternal mortality in India and some other progressive countries of the world. This gives an idea of the damage being done in our country by the death of mothers during child-birth.

<i>Country</i>	<i>Maternal Mortality per 1000 births</i>
Holland	2.4
France	2.5
Sweden	2.6
Denmark	2.6
Norway	2.8
Italy	2.8
Japan	2.8
England and Wales	4.0
Switzerland	4.4
New Zealand	4.8
Irish F. States	4.8
Australia	5.5
Scotland	6.6
U. S. A.	8.3
Madras Presy. (special investigation in 16 municipalities)	15.4
Madras City. (Dr. Mudaliar's Report)	16.6
Sir John Megaw	24.5
<hr/>	
	42.0

On account of the vastness of the country and the lack of reliable vital statistics an accurate estimate is not possible but Sir John Megaw's estimate is that about 2,00,000 women in India die every year from causes connected with child-birth. This figure equals the combined annual mortality from small-pox and plague in India during the decennium 1923—32. It is almost equal to the annual deaths from cholera during the same period.

The gravity of the problem will be immediately

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realized when it is considered that infant mortality and maternal deaths are very closely connected and every single case has far-reaching repercussions on home life. A glance at the comparative figures of the distribution of population of India by sexes during the period 1881—1931 shows the marked result of this state of affairs. It is startling to find an increasing shortage of women in India revealed in the census report for 1931. "The figures of population of India," observes Dr. Hutton, "by sexes show a further continuation of the steady fall in the proportion of females to males that has been going on since 1901. The female infant is definitely better equipped by nature for survival than the male, but in India the advantage she has at birth is probably neutralised in infancy by comparative neglect and the adolescence by the strain of bearing children too early and too often." According to Dr. Hutton the faulty enumeration of females as a contributory cause in giving low figures for the female population accounts for a very small error.

### *Population by sexes*

	<i>Census years</i>					
	1881	1891	1901	1911	1921	1931
Males ..	129949	146769	149951	161338	163995	181828
Females ..	123947	140545	144409	153817	154946	171005

These figures indicate that conditions which take toll of female life are and have been increasing since 1901 in their civil potency.

The age distribution figures are equally illuminating.

### *Age distribution of 10,000 of each sex in India*

Age	1931		1921		1911		1901		1891	
	M	F	M	F	M	F	M	F	M	F
0-5	1478	1605	1202	1316	1327	1433	1254	1339	1409	1527
5-10	1324	1284	1471	1494	1383	1383	1394	1382	1428	1396
10-15	1182	1110	1245	1081	1165	997	1264	1082	1139	946
15-20	904	952	842	815	848	826	860	835	835	811

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It is obvious that at all the five censuses the females between the age periods 0-5 exceed the males between these periods. But this initial advantage of numbers is lost between the next age periods. The sex ratio at birth is violently disturbed. The table given below shows the female ratio in the first year of life as compared to that at all ages censused, indicating the comparative wastage of female life.

	<i>Females per 1000 males</i>	<i>variation</i>
in	aged	%
	0-1	between columns
India	1,013	941
		-7.1

We shall also see what the sex ratio of the breeding part of the community is. Taking India as a whole the sex ratio at the reproductive ages is not as unfavourable to a progressive population as the total sex figures suggest at first sight. But it must not be forgotten that the point at which the number of females is adequate to the numbers of males is limited to the ages from 15 to 30 and the probability is that their deficiency from the ages 30 to 60 is due to exhaustion by child-bearing as soon as the reproductive period is reached. So between the age periods 0-5 there is an excess of females and this excess is not maintained till group 15-20. (The sudden drop in the ratio after the age group 0-5 is indicative of neglect). The census Superintendent for Bombay notes "that the death rate among females is higher than among males in the 5 to 10 years age group. A study of death-rates shows that after the age of 5 only in the 40 and over age groups is the female death-rate lower than the male." There are more females again in the age group 20 to 25 and for the third time at 70 and over. The dip in the age curves between 15 and 25 is a common feature.

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The sex ratio in deaths at the various age periods for 1921 and 1931 given in the U. P. Census Report is most striking.

Age	<i>Number of female deaths per 1000 male deaths in the U. P.</i>	
	1931	1921
0-1	838	877
1-5	916	981
5-10	871	910
10-15	847	865
15-20	1000	981
20-30	1070	1044
30-40	912	935
40-50	758	916
50-60	784	834
60 and over	877	936

The very high mortality of females at the reproductive ages is noticeable and what is worse the conditions have grown from bad to worse in the decade 1921-31.

We shall now turn to the statistics of the civil condition of the people.

*Number of married per 1000 of those aged 0-15 years*

Sex	1881	1891	1901	1911	1921	1931
Males	63	59	59	54	51	77
Females	187	170	162	156	144	181

From 1881 to 1921 there has been a decrease of those married under the age of 15 years. The decrease has become an increase in 1931. The number of males married under 15 has risen by 51% and the number of females by 26% since 1921. This is due to the enormous number of infant marriages which took place in the six months' interval between the passing of the Sarda Act and its coming into operation, but that has to be reckoned as a passing phase.

Following the method of the authors of the Joshi

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Committee we shall find out the extent of prevalence of the custom of early marriage.

The following table gives the number of girls married, unmarried and widowed per 1000 at the three age periods 0-5, 5-10, 10-15.

	Under 5	5-10	10-15
Married	30	193	381
Unmarried	969	802	609
Widowed	1	5	10

The Census Returns do not show what per cent. of girls get married before they complete their 15th year. But a rough estimate can be arrived at by the method followed by Sir M. V. Joshi—by adding together.

(a) All married girls under	5	...	30
(b) All married girls between	5-10	...	193
(c) All married girls between	10-15	...	381
(d) Widows between	0-15	...	16
(e) *39.1 % of girls unmarried below 10.	...	...	692
			<hr/> <u>1312</u>

This figure gives a proportion of 43.7 % of girls likely to be married below the age of 15. 620 out of the total 1312 were actually found in the married state at the time of the Census and 692 is the number of girls who were actually unmarried and in age group 0-5 and 5-10 but would get married before they pass their 15th year. This shows how widespread early marriage and consequent premature child-birth is in India and naturally has a whole multitude of evils in its train.

\*This figure indicates the proportion of girls found married or widowed between 10 and 15 to the total number of girls of that age period.

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Hypergamy, paucity of women, impact between the Aryan and Dravidian civilizations, disturbed civil conditions during mediæval ages and lower age of puberty are advanced as various explanations to the custom; but its prevalence to-day and its dire results are much more important than its origin.

The custom never seems to have extended to the Malabar Coast and is not so prevalent in the extreme south, along the East Coast, or in the North-East as in the West, in Bengal and in the Deccan.

### *Results*

*Widowhood.* Infant marriage involves infant widowhood and this feature has a significance because widow re-marriage is under a social ban. Already there is an excess of males over females and this ban on the re-marriage of one sex only tends towards a further fall in the ratio of females of reproductive ages to males of those ages. Among Hindus and Jains who place an effective ban on widow re-marriage, there were 221 widows among 1000 females in the former community and 169 among 1000 in the latter. These figures though large in themselves indicate a decrease since 1921. On the other hand there has already been a remarkable increase in the child widows particularly under the age of 5 which can be attributed to the rush of marriages anticipatory to the Sarda Act. At this stage the vicious circle pointed out by Dr. Hutton is worthy of note. "The caste system leads to the production of an excess of males; that the excess exists is incontrovertible. It also seems an unavoidable conclusion that an excess of males must tend to lower the age of marriage for females since the number of mature females will not be enough." The ban of widow re-marriage must accentuate the evils of this vicious circle.

Though in India marriage does not and in the lower age groups cannot mean sexual intercourse between

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husband and wife yet early marriages tend to encourage premature consummation of marriage and this in its turn leads to early motherhood much before the girl is physically and mentally fit to shoulder the responsibility. In communities where early marriages are prevalent the girl becomes a mother soon after puberty and it must be realised that the age of puberty in the tropical climate of India is much lower than in the west. Early motherhood is thus thrust upon the girl a few years after she has entered her teens.

Associated with early maternity is another evil that of frequent maternity. An Indian woman oscillates between two states, of gestation and lactation till death winds up the sorry tale. The results are ghastly. It is impossible to read the medical evidence tendered before the Joshi Committee with equanimity. "One hundred out of every 1000 girl-wives are doomed to die in childbirth," estimates Sir John Megaw. The figures relating to the number of infants born, who die during the first year of life are also equally appalling. 180.83 deaths per 1000 live-births is a notoriously high figure. This was the infant mortality in 1930. The strictures passed by the Joshi Committee on the present wastage of infants and mothers hardly help in the alleviation of the pangs caused by the suffering of the unfortunate millions. Here is the pronouncement of that "Weighty Committee."

"Early maternity is an evil and an evil of great magnitude. It contributes very largely to maternal and infantile mortality, in many cases wrecks the physical system of the girl and generally leads to degeneracy in the physique of the race..... The evil is so insidious in all its manifold aspects of social life that people have ceased to think of its shocking effects on the whole social fabric....."

In a written statement made to the Age of Consent Committee Dr. R. Adisesham makes note of the higher death rate in women between the ages 15-30; and comes

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to the conclusion that this higher incidence of mortality represents maternal deaths..... Also the Census Commissioner of the Travancore State pronounces that "the highest female mortality which exceeds that of males by 60 to 61 per 1000 occurs in the age period 15-30 and must certainly be attributed to the early marriage of girls and the consequent premature maternity. Death of young mothers at child-birth is not an uncommon occurrence, but more common than this, however, is the death of women in the later period of maternity, say between the years of 20 and 30 brought on by the physical exhaustion, the nervous break down and other ailments, which are the aftermath of premature child-bearing."

The Age of Consent Committee concludes (page 152, Ss. 339 and 341) that "there is a large element of truth in the theory that frequency of birth has a very direct bearing on maternal and infantile mortality;" that "according to the medical evidence the effect of frequency of births at short intervals is far more disastrous when maternity starts at an early age."

The evils of early maternity are complicated and amplified by the conditions under which child-birth takes place.

Hence it is evident that premature maternity, frequent maternity and primitive obstetrics are principally responsible for the high rate of maternal and infant mortality.

Causes from which the parturient mothers die in India are

1. Sepsis or Septi cacemia
2. Toxæmias of pregnancy.

The investigation made in Madras into the causes of maternal mortality in 7324 cases showed that more than 60 % of puerperal deaths were due to Sepsis or Septicæmia..... The *Dai* is the prime cause of this high percentage of death from Sepsis: the *Dai* who

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cuts the umbilical cord with a piece of sharpened tin. She is also responsible for a number of cases of vesico-b vaginal fistulæ. Sepsis is wholly preventable, and so are the Toxæmias of pregnancy by pre-natal care and dieting.

Dr. Adisesham in his statement refers to "a most disconcerting feature" and notes that 63.63 per cent. of confinements in the investigation referred to above, were attended by untrained agency.

The Tuberculosis in India which follows maternity has become almost an institution in the country. In this connection the remarks of the Canadian T. B. Association quoted by Sylvia Pankhurst are worth quoting a second time. "After early adult life the cause of tuberculosis is not the tubercle bacill (only) but over-strain." In India besides the over-strain of frequent maternity coupled with this exhaustion, there are other contributory causes (i) absence of nutrition during pregnancy, the puerperium and lactation; (ii) the insanitary *purdah* which inculcates T. B. (T. B. in India—Arthur Lankester); (iii) the scanty milk supply (Bombay —7 gallons per head per annum; Calcutta 8 gallons per head per annum—Linlithgow Commission's Report, p. 223).

After realising the enormity of the evil the Age of Consent Committee came to the conclusion that "early consummation leading to early maternity ought in any event to be prohibited" and they recommend that.....in order to deal most effectively with the evil of early marriage and early consummation a law be enacted fixing the minimum age of marriage of girls at 14 years; and that the Age of Consent within the marital relation be raised to 15 years.

The history of legislation regarding the Age of Consent and marriage, which culminated in the Sarda Act of 1930 is interesting.

Intercourse between husband and wife below a

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given age was made an offence for the first time in 1846 when the I. P. C. was drafted. Then there was legislation in 1891 when Sir Andrew Scoble introduced a bill to "protect female children from immature prostitution and from immature cohabitation." Then followed the bill of 1922, Dr. Gour's Bill of 1924, Amendment of 1925, and Dr. Gour's Bill of 1927 which led to the appointment of the Age of Consent Committee. Last of all came the Sarda Act. This act technically known as the Child Marriage Restraint Act of 1930, was passed on 28th September, 1929, and it was to take effect from April 1st, 1930. This interval was ruinous. In 1931 the number of males married under 15 rose by 51 per cent. and the number of females by 26 per cent. since 1921.....

And even when it came in force the Act has remained thoroughly ineffective for few reasons:

(i) It expressly prohibits any court from taking proceedings against offenders except upon a complaint.

(ii) A complaint must be made before a Presidency Court or a District Magistrate's Court and the complainant must give security for his ability to pay Rs. 100/- compensation if the prosecution fails.....

And now "it is practically a dead letter except for such warning influence as it exerts on a few law respecting souls" (Miss Rathbone) but in its total effect the remedy has proved worse than the disease as the swollen number of under-15 widows will indicate in 1941.

The statistics given above reveal an appalling state of affairs. A rapid death-rate among the female population and the upward curve of infant mortality cannot on any account be ignored. Something must be done to save this national waste.

### *The plan of action*

On account of the vastness of the country, the

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predominantly rural population, the heterogeneous elements in society and the deep rooted prejudices among some sections, at least of the people, only a carefully laid out and sincerely worked plan will be useful. Half-hearted measures to satisfy "red tape" or a put-up show to enable annual reports to be written are worse than useless because without doing any real good they so effectively conceal the real nature of the problem.

The Government, humanitarian societies—semi-official and public—and the people must combine to work a country wide plan to reduce the enormous waste of precious lives through maternal mortality. The root cause of the trouble must be first tackled. Early marriage is admittedly doing the greatest harm. The figures quoted earlier reveal the extent to which this evil has spread in Indian societies. As mentioned earlier the Indian legislature has had the good sense to pass the Child Marriage Prevention Act, popularly known as the Sarda Act following the epoch-making report of the Joshi Committee. The ideal ought to be to raise the age of marriage to 25 years for the males and to 18 years for the females. As it is, even the very moderate provisions of the Sarda Act are not enforced. Through suitable amendments it should be made possible to bring the offenders to book promptly and make the law really effective.

In addition to raising the marriageable age it is necessary to ensure that a person aged 25 years or more and unable to find employment or maintain a home should not marry. An unemployed young man with a litter of children and perhaps an ailing wife is the greatest handicap to national efficiency and progress.

To keep the mothers healthy, the family happy and contented and the children well cared for, spacing of children is very necessary. Frequent child-birth emaciate the mother, make her a victim to diseases while the children are invariably underfed and neglected.

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Rickety from childhood they develop into weaklings—a hindrance to the growth of a better race.

Anti-natal care too is very important. Stress should be laid on proper arrangement of food in accordance with well established principles of nutrition, scrupulous adherence to principles of hygiene so essential for the prevention of disease and sufficient and proper exercise to regain and maintain good health during gestation alternated with periods of rests. Apart from these considerations the necessity of creating a happy and a congenial atmosphere cannot be overlooked. The psychological impressions on the mother during this period are of the greatest importance.

A network of Maternity Homes conducted on scientific lines is very desirable. Experience has shown that the benefits derived from deliveries conducted in such centres are very soon appreciated by even the most conservative class of people and they are not at all slow to take advantages of such facilities wherever available. For lack of funds and on account of the vastness of the country it may not be possible to provide Maternity Homes within reach of those living in rural areas. For them it is necessary to make trained midwives available. The indigenous *Dai* ignorant of even the elementary principles of sepsis and hygiene has been responsible for an appalling loss of precious lives and post-natal complications. It is necessary that a Midwives' Act be made applicable all over India. Under the present conditions in India it will be advisable to set a time limit of 15 years during which period trained midwives in sufficient number ought to be available. For remote and cut-off places where due to lack of funds a trained midwife cannot be maintained, the trained *Dai* may be allowed to work.

Finding a sufficient number of qualified women for being trained as midwives and the money to maintain them is a grave problem. Among the orthodox sec-

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tions of the population the midwives' work is considered unclean but efforts can be made to induce some educated woman in the village to receive training in such work. Once the simple village folk realise the importance of this work they are bound to develop a more sympathetic attitude. If the woman to be trained belongs to the village itself it will be possible for her to stick to the village which in most of other cases will tire out and disgust her more refined sister from the urban areas. Another practicable idea which might mean a saving in money is to employ an educated couple willing to settle in the village. The husband can act as the village teacher and be in charge of the rural uplift activities sponsored by the Government or other semi-official agencies while the wife should be a trained midwife. A small allowance between them will suffice to keep them in the village. If a person retains a sympathetic attitude towards the villagers and can interest them with religious talks and recitations (*e.g.*, Ramayana, Alha-udal, etc.), all his simple wants will be satisfied, and he will win the villagers' confidence. This idea may not always work and variations might be necessary to suit local conditions but it is well worth a trial.

The problem of finding money is always the stumbling-block in such ventures. However, if properly taken up the problem ought not to be impossible of solution. Let us for argument's sake consider a village with 2000 souls. Very roughly, let us suppose that the population consists of 500 men, 500 women, 500 boys and 500 girls. Of the 500 women about 250 or 300 will be of child-bearing age. If on an average one child is born to every such woman once in every two years 150 births per year may be expected. This will keep a trained midwife fully busy throughout the year. If she is paid Rs. 30/- per month and sum of Rs. 140/- is provided for an assistant (a trained *Dai*) it means an

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annual expense of Rs. 500/- per year per such village. If the village population contributes as. 4 per head per year this sum could be raised, an adequate contribution for medicines, etc., being made by the Government Health Department of the Province. In case some money can be obtained from public bodies like the District Boards or humanitarian societies like the Red Cross or the Countess of Dufferin Fund the villagers' contribution can be reduced.

With persistence, sincere work and co-operation between official and non-official agencies a 15-year plan ought to eliminate the untrained *Dai* from even the remotest village.

It must be realised, however, that no scheme aiming at reform can succeed till the people concerned are made to realise the shortcomings of the old system and the benefits of the new measures. Leaflets, pamphlets, propaganda lectures, lantern shows and broadcasting should combine to educate the village folk and make them realise that they have no reason to be afraid of these departures from time-honoured practices. Girls who are the mothers of tomorrow should be taught the elements of maternity and should know what to expect in a properly conducted delivery so that they can insist on proper care being taken. In passing, the need of sex-education to the young might be stressed. According to the Victorian standards all talk or even the mention of anything pertaining to sex was regarded as indecent and in bad taste. But succeeding generations have realised that there is nothing unnatural or unclean about the normal desires and functions in a human being. Knowledge derived in secrecy and from irresponsible and questionable sources leads to mistakes which leave nothing but harm in their wake. Much trouble could be averted if the girls were to be given instruction regarding sex and maternity in their school life instead of learning it at the cost of their health.

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### *Birth Control*

It cannot be denied even by the bitter opponents of the Birth-Control Movement that child and maternal mortality are directly related to frequent child-birth. The mothers grow anaemic, emaciated and are easy victims to diseases while the offsprings of such mothers are none better. Though denounced by idealists the wider use of contraceptives is bound to benefit the masses as well as the classes who cannot rise to very high standard of restraint and celibacy in marital life. Those who denounce the use of contraceptives as unsanitary, unnatural or immoral are now in a dwindling minority. Artificial Birth-control has proved effective in the west as a safeguard against frequent or undesired maternity, but in India the conditions are different. It is true that the deep rooted belief in India in the dispensation of an inscrutable providence is acting as a hindrance in contraceptives getting popular, but the more important fact is that the present devices are too costly for the Indian masses. The prices are simply prohibitive and the domestic conditions are such that the remedies cannot be freely used. If birth control is to be effective in India methods will have to be found out to make the devices cheap. Perhaps the use of indigenous chemicals and drugs after thorough scientific investigation might be a solution. An investigation into the indigenous methods, if any, may also prove helpful. Low priced devices easy to use, and easily available expert advice are badly needed.

The state of maternal mortality in India, its causes and some remedies have been presented above. By no means is this even an enumeration of all the phases. Only the major problems have been stated. This leaves out of account the provision of better houses, introduction of hygienic ways of living, provision of clean and sale milk for the mother and the child, research to

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suggest a very cheap yet nourishing diet for the masses and the spread of knowledge vital to human beings.

Both pregnancy and child-birth are natural conditions and the after effects ought not to be so tragic. When told that a certain disease could be brought under control by scientific methods the late King George V is reported to have said—"If preventable why not prevented." The same might be said of maternal mortality. It is our national duty more vitally important than all constitutions and politics put together to make woman's "great and incomparable work safe." We must prevent her and her children being "left to chances of unreasonery custom, impulse, fancy joined with the suggestions of ignorant mothers." Teaching of mother-craft must be introduced in schools. Child birth must be scientifically conducted with a "degree of conscious intelligence such as will raise it from the fulfilment of mere instinct to the completion of a splendid social purpose."

The ideal before us should be happy homes with healthy children who are sure to develop into sensible and prosperous citizens, mothers radiant with health and a utopia where maternal mortality will be an exception rather than the rule.



## **EDUCATION**



## EDUCATION OF WOMEN AND GIRLS

*By HANNAH SEN*

Educational reconstruction is one of the most widely discussed problems of the day. The failure of the present system to spread enlightenment and combat mass illiteracy has caused much misgiving and has focussed public consciousness on some of the outstanding defects. A highly discouraging feature has been the unsatisfactory state of girls' education, the importance of which has been considerably enhanced by the recent changes in the economic and political status of women. These new privileges have brought new responsibilities and a new attitude towards ignorance and old time prejudices. The sphere of women's activities has broadened and civic life is no longer confined to the gossip which centred round the village well. A spirit of service and a burning desire for national progress are animating India's womanhood. This is reflected in the field of education in an insistent demand for reform and for a programme of studies more in keeping with the genius and characteristics of the Indian people. A review of the existing system against its immediate historic background might be illuminating for any methodical attempt to recast it or remodel it to suit new conditions.

The first phase of the modern educational system of India dates back to the beginning of the nineteenth century, when the East India Company acquired its large measure of control and became the paramount power. With territorial jurisdiction came the urgent need of tackling important problems, particularly that of

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education. As early as 1826 Sir Thomas Munroe placed his scheme of education for the Madras Presidency before the Court of Directors and spoke convincingly of the ample repayment that would ensue in an improvement of the country. A sound and extensive system of education was felt to be not only a duty but an investment.

When the Government took up the matter seriously they found that an extensive system of education already existed. Their Report on education of 1835 stated that there were as many as 100,000 schools in Bengal and Bihar alone, that is, roughly a village school for every 400 persons. These indigenous schools were essentially religious in character and regarded knowledge as a means of spiritual growth. They were adversely affected when Macaulay published his famous Minute and established English as the court language and the medium of instruction in high schools. Opposed to Macaulay and his supporters were the Orientalists led by Adams who strongly deprecated undue interference with the system of education then prevalent. They believed in leaving education in the hands of the people but supplying "what was deficient and improving what was defective." But the Westerners, with their crude attitude of criticism, condemned the old teaching as ridiculous. They gained the victory and there began the novel experiment of educating a people through a foreign language. To reorganise the old system and build up a suitable vernacular literature would, in their opinion, have caused unnecessary delay. That this policy retarded the development of vernacular literature, placed thus at a discount, cannot be denied.

As the new system of education came into vogue, the old Arabic and Sanskrit schools gradually closed down and the country lapsed into illiteracy. The passing of examinations replaced in importance the acquiring of knowledge or the formation of character. To facilitate

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this, teaching was reduced to the dictation of simple notes that lent themselves to easy cramming. The policy of the Company took also the shape of strict non-interference with the religions of the people, and secular instruction became divorced from religions. These changes in the scheme of education were far reaching in their results. The value of learning from being cultural and spiritual became increasingly utilitarian and aimed mainly at providing the agency for the running of a bureaucratic machinery. Knowledge ceased to be an end in itself. This new attitude proved a serious stumbling block in the education of girls, and led to a distaste for higher education. But perhaps the most unhappy result of all was the cleavage which steadily widened between the intelligentsia and the rest of the people, the former being enlightened in a culture and taught in a language unknown to the other. An attempt was made to rectify this in Sir Charles Wood's "Despatch of 1854" which marks an epoch in Indian educational history. The most notable feature of this Despatch was its emphasis on primary education. The old idea that education, imparted to the upper classes of society would filter down to the lower classes, was discarded. The new policy was boldly "to combat the ignorance of the toiling millions which is the greatest curse of the country." Among the other proposals of the Despatch were (*a*) the creation of an education department; (*b*) institution of universities; (*c*) arrangements for the training of teachers; (*d*) adoption of the principle of grants-in-aid and (*e*) encouragement of female education. A period of rapid expansion of education followed this new policy and led later to the appointment of various educational commissions for the purpose of investigation and reform.

Under the Montague Chelmsford Constitution in 1919, education became a "transferred" subject under the charge of an Indian minister. This inaugurated an

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era of primary education, acts authorising the introduction of compulsory education by local option. Due, however, to lack of sufficient financial means, few local bodies availed themselves of this opportunity and fewer still applied it to girls. By the end of 1932, therefore, out of population of 353 millions only 24 millions could be termed literate, and in a country of half a million villages, 53 urban and 3392 rural areas were under "compulsion." Of these rural areas nearly 3000 had individual schools only.

The inadequacy of the system in meeting the educational needs is thrown into more powerful relief when held up against the statistics of girls' education. The disparity in number between educated men and women, 20 as against 4 millions, is alarming. While admitting the influence of social factors in determining this appalling state of affairs, a closer examination of the problem reveals the effect of other causes, the foremost among them being the absence of a "well planned comprehensive scheme, buttressed by adequate financial support."

A warning note has been struck regarding the haphazard manner in which girl's education is developing, accentuating in some measure the grave defects obtaining in the education of boys. Relegated to a position of secondary importance, as being incidental but not vital, the subject of girls' education has received but little attention and is the first item to be thrown overboard in times of financial stringency. The paucity in the number—some 5000 in all—and the poorness in the quality of the institutions intended solely for girls are generally recognised. The vast bulk of these schools follow the primary course and range upwards from the single teacher institution which has been universally condemned as being ineffective in its contribution towards the reduction of illiteracy. In fact, in view of the Sapru Committee recommendation that a period of

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six years is required for attaining permanent literacy, the whole system of girls' elementary education, with a few exceptions, appears to be useless. An analysis of the data available shows that out of every 100 in class I, only 10 reach class IV and 6 class V. The gain in literacy is by no means commensurate with the increase in expenditure. With this depressing picture before them, women can find little consolation in the knowledge that the thousand or so secondary schools scattered throughout the country are "more or less efficient."

It is a commonly accepted principle that the primary aim of education should be the removal of illiteracy. It is also a commonly accepted principle that the only effective drive against illiteracy is a system of free compulsory education for a minimum period of six years. But such an expansion of general education can be successful only if it is backed by efficient administrative supervision, an attractive curriculum and necessary funds. Where "compulsion" has failed, the scheme has lacked these three essentials.

The financial aspect of the problem bristles with difficulties. The masses are poor and the Government is always short of money. Private enterprise too is inadequate. Against the figures of India's vast natural resources and potential and actual wealth, the expenditure on education is extremely meagre. The total cost of all education is well below 29 crores; 18 crores of which are contributed from public funds. On girls' institutions the total expenditure is barely 2½ crores of which 1½ crores are met from public sources. This compares most unfavourably with the expenditure on education of other civilized countries.

If the spread of literacy is one of the recognised functions of the state, money must be found. This can be done in one of two ways: reduction of other expenditure or imposition of fresh taxation. The inborn instinct of self protection against ignorance and the

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innate desire for self-development are a guarantee of a people's willingness to be taxed reasonably for objects which, they believe, will promote their spiritual and material well being. But instances are quoted of reluctance on the part of the masses in India to contribute towards schemes of educational expansion. The explanation may be found in some inherent defect in the schemes rather than in indifference and apathy. The appeal of any educational programme lies in its national setting and in the close relationship between its studies and the practical realities of home and civic life. The average man can scarcely be expected to show enthusiasm for an education that leads to no appreciable results.

Another argument usually urged against any system of universal education for girls is that of orthodox conservatism. Much spade work towards popularising the system it is said, should precede its introduction. Those who are acquainted with the work of the All-India Women's Conference and similar organisations are well aware of the immense propaganda they have already initiated on behalf of the social, political and educational emancipation of India's womanhood. Recent years have witnessed the breaking up of the old social order. Caste division, *purdah* and early marriage are disappearing and a new world is emerging with freedom for self expression and equality of opportunity for all. The old attitude towards girls' education is giving way to a growing sense of its value and urgency.

"The importance of the education of girls and women in India," cannot be overrated. It affects vitally the range and efficiency of all education. The education of the girl is the education of the mother and through her of her children. The middle and high classes of India have long suffered from the dualism of an educated manhood and an ignorant womanhood—a dualism that lowers the whole level of the home and domestic life and has its reaction on personal and national character.

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"The education of women, especially in the higher stages, will make available to the country a wealth of capacity that is now largely wasted through lack of opportunity. It is only through education that Indian women will be able to contribute in increasing measure to the culture, ideals and activities of the country."\*

The Hartog Committee, therefore, recommended that "priority should be given to the claims of girls' education in any scheme of expansion." But this has passed unheeded and little has been done to adjust the existing disproportion in expenditure between girls' and boys' education.

In the face of financial limitations and the consequent difficulty of multiplying girls' schools, co-education may be regarded as a measure of economy. The alternative often is not between co-education and separate girls' schools, but between co-education and no school at all.

The idea of co-education is not a new one. Till 1902 it was widespread, but the percentage of girls' reading in institutions meant for boys decrease with the growth in number of special girls' schools. In some of the provinces, co-education is still popular. In Burma 81% of girls attend mixed institutions and in Madras the percentage is 51.1. Assam follows close behind with a percentage of 50.3. The most conservative are the Punjab and the North-West Frontier Province with a percentage respectively of 11.2 and 5.9. The natural inference from these figures is that where the rigidity of social custom still operates, co-education is feasible only in the elementary stage, but it may be extended to secondary schools and the university in places where progress in social thought has been achieved.

\*The Hartog Committee Report.

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In addition to minimising the cost of education and apart from the psychological reasons urged in its favour, co-education may be useful as a means of improving the quality of instruction. It may completely eliminate the single teacher institution. Much of the opposition and hostility levelled against co-education is directed more against the manner in which it is conducted than against the actual principle. A common complaint is that girls are admitted to boys' schools merely "as a concession and a convenience". The very name "boys' schools" is a misnomer for all such institutions should be termed "co-educational". The advantages of the system cannot be fully realized, unless the staff is mixed and girls form part of the corporate life with suitable arrangements for the teaching of their special subjects. Girls' education may be equal in standard to boys' but is often different in content.

A cogent reason for the unpopularity of the present system of education is that the objective, as expressed in the curriculum, is out of focus with everyday needs. If school studies are to prove attractive and worthwhile to both the tax-payer and the parent, they must be related to life and the home. Education must come down from the cold heights of academic isolation to the warm plain of realities. In so far as girls' education is concerned, domestic science is entitled to a place in the scheme of things,—an honoured position in all curricula—primary, secondary and university.

It seems paradoxical that, while the progress of higher education has reduced the inevitability of marriage as the only career for women, greater stress is being laid on the study of domestic subjects. The present attitude is but a reaffirmation of the age-old principle that, whether women marry or follow other pursuits, on them will devolve the main task of managing the home, at least for decades to come. It is also a denial of the age-old belief that women are gifted with an inborn genius,

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a heaven given intuition for home building. Disease in Indian homes, high infant mortality, malnutrition even among the rich, are signs of their deep ignorance. All the love in the world cannot make the home comfortable or healthy unless the housewives know their job. Specific training is essential if homes are to survive and keep pace with the changing world.

\*“One of the demands which modern life is making in all institutions” is that they change or perish. To continue as a vital part of a swiftly moving civilization, the home cannot remain static. It must become like living matter, a delicate balance of all contained forces, maintained by incessant change. Its stability must be that of a moving equilibrium which, though it carries with it all that remains alive of the past, keeps in harmony with the present and moves on in adjustment to environmental change.

The value of the home in modern civilization must be measured more and more in the terms of help that it can give human beings in achieving and retaining health and in learning to direct self and control environment.

“The most economic contribution of the home to society is the production of healthy and efficient human beings. The major educational problems of this home is to establish practices which will insure health, and to guide young people towards self control by giving them freedom and teaching them to use it. Its vital social problem is to furnish a background of security for tender youth, and to provide a sanctuary to which men, women and children may retreat for rest, for refreshment and for recreation.”

Indeed this type of education, based on the three-fold principle of health, beauty and economy, must be available to all women and may be to all men; for men share with women the responsibility of producing healthy children, of providing them with the right atmosphere and of guiding them into a life of self controlled freedom.

The All-India Women’s Conference took up this

\*Report of an American College of Home Economics.

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cry of the Home and it grew in momentum from year to year till in November 1932, the Lady Irwin College was founded to enable women to utilise the advantages of Science in their homes and to add to them the loveliness of art. But the amount of instruction in domestic subjects including hygiene, simple physiology, care of children, dietetics, household management and decoration, required for daily use in the home, may be given in secondary schools and in a more elementary form in primary schools. Advanced institutions, like the Lady Irwin College, should be established for instruction of a professional character for teachers and social workers. For training in domestic science, in its wider application, offers a wide range of vocational opportunities.

It is true that several provincial boards of secondary education and other authorities have recently added domestic science to the curricula of schools within their jurisdiction. But the treatment of the subject has been largely theoretical and seldom adjusted to local conditions. The old superstition also prevails that the only qualification a teacher of domestic science needs is her sex. Women who have proved their inability to deal with other subjects and who are ill-equipped with general information and specific training are often entrusted with the teaching of the various branches of knowledge, connected with home and children. The curriculum may be an exceedingly important factor in any educational scheme, but no matter how well devised it is, its utility is dependent upon the competency of the teacher.

The inclusion of domestic science among the optional subjects of the Intermediate Arts course in Allahabad and elsewhere, and the special training provided by the Madras University for the post-graduate L.T. degree in Dietetics, Cookery, Housewifery, Hygiene and Sanitation are moves in the right direction. The Women's University at Poona also deserves mention.

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Its two main contributions to educational thought have been significant: firstly the reinstatement of the mother tongue as the medium of instruction, so reminiscent of the almost forgotten Saddler Commission Report, and secondly its early recognition of the need for adapting the courses of studies to the requirements of women and girls. It is regrettable that the degrees of the Women's university have been refused recognition, for that detracts from its popularity. But its value as an interesting and original experiment on indigenous lines will always claim the gratitude of Indian women.

Though training in domestic science may form an essential part of the large majority of girls, it would be well to remember that a woman's usefulness is not circumscribed by the limited demands of her husband and children. Political progress and the enfranchisement of women have widened her horizon and have given her added responsibilities towards a nation striving for greatness and freedom. This has raised the study of civics to a position of supreme importance.

Increasing attention is being devoted also to the preservation of the richer and more beautiful elements in Indian literature and thought. In rejecting what was false in the old ideals there has been danger of rejecting what was true. It is the business of the educator to select and conserve all that is worthy in national games and dances, arts and crafts, sagas and songs. If education is to be a living force, dynamic and not static, it must be closely interwoven into that particular heritage which is embodied in the country's culture and tradition.

The teacher has been termed the "nation builder" and no scheme of educational reconstruction can be efficient without ample provision for the training of teachers. Much of the success of any system of education is influenced by the number and quality of the members of the teaching profession. The Madras

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Presidency with its large output of trained teachers and the relatively satisfactory state of its education is an instance in point.

Rural schools suffer most from a dearth of trained teachers. Towns-women are loath to exchange the comforts of their home for the more primitive and precarious life of the village, where it is often difficult to find suitable accommodation. The practical solution suggested for this in the last Quinquennial Report is to attach training classes to selected schools in the rural areas and to train promising girls from the localities concerned.

The mission of a teacher has been described as "exalting in all school work, co-operation above competition, creation above acquisitiveness, service above the lust of personal power and profit, and active intelligence and enquiry above passive assimilation of second-hand opinions." This ideal is a noble one but its achievement will remain an unfulfilled dream as long as the teaching profession is recruited mainly from the failures of other walks of life. Unless the interests of the teachers are safeguarded and their fundamental rights protected, it is vain to hope that the best minds of the country will be attracted to the profession. Fortunately the All-India Federation of Educational Associations has taken up the question of the disabilities of teachers and has decided to secure for them their legitimate place in the national life with security of tenure, equitable treatment and "remuneration that is compatible with decent livelihood."

The Federation, though young, has rendered another great service to the profession. Through its Annual Conference it provides an occasion for an interchange of ideas and experiences. Conferences, no less than journals or refresher courses, keep teachers abreast of the latest developments in educational thought and practice.

## EDUCATION OF WOMEN AND GIRLS

Every well brought up person has been nurtured on the maxim *mens sana in corpore sano* but few realize its full implications or how intimate is the inter-relation between the mind and the body. Some years ago a special committee of experts, appointed by the All-India Women's Education Fund Association, met at Panchmari to devise a plan that would enable women to bring about a "renaissance of Indian life and learning" and a reorientation of education in which the child would be of prime importance. The Report of this Committee, which appeared in 1931, advocated a series of useful projects and is a document of distinctive value. But its disregard of the greatest void in Indian education is strange. No up-to-date system of education or syllabus of studies can neglect the physical aspect. The care of the health and facilities for physical development are indispensable conditions of human progress. There is evidence, happily, of a growing understanding of this. The All-India Women's Conference frequently accords a place to physical training and medical inspection among its annual recommendations. But little has been done towards framing a sound and comprehensive programme calculated to advance the physical well-being of the nation. It is time that the activities of the Women's Conference took on a more practical shape and that recommendations and resolutions were replaced in a greater measure by special committees engaged on some specific task. The Lady Irwin College was the creation of a Special Committee and is a notable achievement of which the Conference can rightly be proud. But no progressive group of thinkers can afford to rest on past laurels, for easy contentment breeds stagnation. The courage and the practical idealism that inspired the earlier venture should be directed into a new channel of expression. There are many problems pressing for solution: the present arrangements for physical training and medical inspec-

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tion are wholly inadequate and so is the provision for the training of teachers of physical culture and the treatment of ailments discovered in the course of inspection; the system of training in common use is entirely unrelated to indigenous exercises, games and dances and stands in need of drastic change; the position and type of a good many school buildings fail to satisfy the minimum requirements for fresh air and sunshine, and playing fields for girls are almost non-existent. The call for improvement is urgent. Let the Women's Conference take the lead once again.

Problems relating to communal schools, adult education, vocational instruction and a host of other subjects also require systematic study and scientific research.

Communal schools are the *bête noire* of the nation. It is seldom that women care to indulge in destructive effort, but, in their condemnation of these denominational institutions, they are unanimous. There is reason to be disturbed at the way in which communal schools and colleges are multiplying and the importance that is being attached to them. Segregation will tend to aggravate the suspicion and misunderstanding that have crept into social and political affairs.

Communal schools base their justification on the backwardness of the communities they represent and on the desire for a particular brand of religious teaching. Liberal concessions in the form of books, free studentships and scholarships will surely reduce the handicap of "Backwardness" as effectively as but less harmfully than a segregate system with its communal outlook. As regards religious teaching, there is nothing to prevent suitable arrangements being made in mixed schools for instruction of a particular religion's bias. But progress in moral and ethical ideas can be independent of orthodox creeds and right virtues are better inculcated indirectly through example and literature than by formal teaching.

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The "Harijan" schools present another form of evil. The nature of their mischief is different. Their danger lies in perpetuating the stamp of inferiority in a large section of the population and prolonging the period of their ostracism. The Harijan child must enjoy his ordinary human rights and be permitted to receive his education along with others in any school which is maintained either wholly or partially from public funds. The correct policy would be to refuse grant-in-aid or any form of public support to schools that exclude children solely on grounds of caste.

The subject of adult education is India's most pressing problem. It involves at once the question of literacy, of rural development and of a broader and more informed attitude towards life. It is the favourite topic with writers on educational themes and often calls forth a stream of suggestions, rich in imaginative thought. Night schools and university extension courses mingle with the drama, the cinema and the wireless as methods for disseminating knowledge, and are reinforced in this by travelling libraries, co-operative societies, exhibitions and itinerant lecturers. The Red Cross Society and social service organisations also have joined in the campaign and have of late intensified their propaganda against ignorance, ill-health and disease. But what has been achieved is infinitesimal to what remains to be done. No sphere of education has been more neglected than the education of adults. Economic changes and the responsibility of the franchise will make a greater demand, in years to come, on the intelligence and capacity of the masses. It is imperative that the framework of education be adjusted to this end and that the future educational policy be directed with added strength to raising the level of literacy and general culture.

The investigations a year ago into the "malady of unemployment" have drawn public attention to the

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very vital problem of vocational training. Though educated women have not suffered seriously from this malady, there is danger of its evil effects becoming more widespread. But it is not from the angle of unemployment that the subject of women's vocational training is generally viewed but from that of wasted opportunities and insufficient utilisation of individual aptitudes, with the extension of the scope and range of practical education, more women will be induced to enter new careers and put their innate talents to social use. It has been said that "the only ethical basis for social organisation is that every individual should obtain the place in society which his native capacities justify in having, regardless of birth, wealth or social position, the educational system should be so organised as to enable the individual at once to serve society and find his own best mode of life in accordance with his own abilities and interests." Such an ideal presupposes a system in which educational studies are sufficiently diversified to meet varying needs and sufficiently elastic to permit each individual to work along the lines of his own peculiar bent. This was the subject of discussion at the Universities Conference in 1934 and again at the first meeting in December 1935 of the newly constituted Central Advisory Board of Education. It was felt that the general plan of education should provide for "separate stages, each with a clearly defined objective and untrammelled by university requirements." The Board was of opinion that "a radical readjustment of the present system of education in schools should be made in such a way as not only to prepare pupils for professional and university courses, but also to enable them, at the completion of appropriate stages, to be diverted to occupations or to separate vocational institutions."

The stages as recommended by the Central Board were (*a*) Primary, (*b*) Lower Secondary and (*c*) Higher

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Secondary. The chief idea underlying these stages was firstly to arrange for permanent literacy with a minimum of general education and training, attuned in rural areas to rural requirements, in the primary schools; and secondly to offer in the secondary schools, after a period of common instruction, parallel courses, some intended to prepare students for studies at a university, and others as a preliminary to training in selected practical subjects or to admission in a vocational institution. The Central Board further proposed that certificates granted to students, on completion of their specialised training, should receive Government recognition. Without an assurance of this nature, it is problematic if many students will be diverted from the university to courses with a more realistic bias.

In order to secure expert advice in reorganising the system in the manner outlined in the preceding paragraphs, the Board appointed several committees, including one on vernacular education, with authority to co-opt members who would import local experience and guidance into the deliberations. The framing of the future policy in regard to women's education was entrusted to a special committee with two representative women on its personnel: Lady Grigg and Rajkumari Amrit Kaur. This Committee is in a position to make an invaluable contribution towards so rearranging the curricula and so readjusting the level of education as to guarantee the fullest possible benefit to the largest possible number. Education, as used in modern terminology, is not the luxury of the rich, but a necessity and an investment.

The revival of the Central Advisory Board of Education is a signal step in the annals of Indian educational history. Its advent is opportune. There has been pressing need for several years past for an organisation that would co-ordinate the educational activities of the provinces and the states and formulate an All-India

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plan and policy. The existing system stands condemned and waits to be refashioned. Its defects have been, in the main, its neglect of the education of the vast majority of the population, particularly women and girls; its emphasis on academic than on realistic studies; its creation of a gulf between the educated classes and the masses, and its disregard of the immemorial heritage of India's culture and tradition. The university, "the pivot on which all education in India revolves," has directed men's thoughts away from and not towards those services of which the country stands in most urgent need.

The more discontented of the critics call for an entire scrapping of a system that has proved such an utter failure. "The system has undoubtedly its weak points," admits the Vice-Chancellor of the Calcutta University, and a change in its outlook and objective is imperative. But let us not minimise, much less forget, the great contributions it has made. There can be no question that Western education has brought us into closer contact with the culture and civilization of progressive countries other than ours. There can be no question that it has laid the foundations of an Indian nationhood; it has helped to awaken our national consciousness, to broaden our intellectual horizon and to kindle in us dreams of a better and a mightier India. The way to progress lies not along the bye-paths of destruction, but rather along the high road of construction and reform. The cumulative labours of the different boards, committees and conferences, engaged in their manifold task of eliminating waste and promoting efficiency, surely herald the dawn of a new India with freedom of the soul and swaraj of the intellectual—the spiritual and mental emancipation of all.

## **ARTS**



## “WOMAN AS ARTIST”

*By SHRIMATI RUKMINI DEVI*

I wish in this chapter to try to explain what seems to me to be the work of those who desire to express as truly and as sincerely as possible the special quality, the special note, which is woman's gift to the world in her capacity as artist, in the very widest sense of this word.

At such a time as this, with so much unhappiness and vulgarity spread everywhere about, there seems to come with great force a new understanding of woman's work in the world, a realisation of the wonderful work women can do, are indeed dedicated to do. For those who are anxious to embody the spirit of womanhood in its purest form and to work in the world especially for the helping of women, there are certain qualities that stand out as indispensable, qualities which are, of course, common to both sexes, yet which, in their compassion and radiance seem to me to be in a special measure feminine.

First and foremost for an ideal expression of the highest possible conception of womanhood, surely there must be great refinement, an all-permeating refinement, an exquisite grace and compassion. These will insure perfect freedom from all taint of vulgarity or of crudeness. I cannot think of any quality more important than the refinement which is grace and tenderness, for real womanhood embodies these in all their perfection. I think that every woman is by nature refined, and that this refinement is always present in some measure no matter how crude and vulgar the

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external form may sometimes seem to be. No woman can ever forget her motherhood, her power to protect, her power to understand and perhaps in those who have least enjoyed the advantages of so-called education, these qualities are most outstanding. They shine exquisitely against the dark background of despair and misery which is so often the lot of women. By refinement I mean, of course, real purity, not just the external conventions which falsely go by the name.

Innate as this refinement is, the study and practice of such arts as dancing, music, painting, can distinctly help in its attainment. They can fructify the seed that is already there. And since every one is an artist in some measure, especially every woman, one or another of the Arts should be perceived to be a natural expression of the soul. It seems to me that without the expression of the Arts in Indian life, in the very home itself, there can be no real civilization and of course no real refinement. The Arts should form part of the upbringing of every child; for they are as important as, perhaps even more important than, most of the subjects of the ordinary curriculum. The present unhappiness in the world is, I think, in no small measure due to the fact that the Arts have little place in the lives of most people.

But we must be careful that each Art is as pure and as beautiful as it can be. There is much in these modern times which is called Art, but which I regard as its antithesis, the antithesis of beauty and of refinement. According to my own particular conception of Art, its expression, whether in dancing, or in music, or in painting or in any other form will, if it be true Art, lift the individual above himself. He will become immediately inspired with its beauty, with its rhythm, with its message and its meaning. Cleverness alone is not art. There must be beauty. There must be both aspiration and inspiration. Every Art should be an

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expression of the beauty of life, of the grandeur and of the grace in life.

Some modern art is, of course, beautiful, but unfortunately much is distinctly ugly, degrading civilization instead of ennobling it. There is a craze at present in the West to give expression to the Arts at the cost of beauty of form and of line and of that subtle quality which all true art possesses—the power to evoke an appreciation in which dwells the spirit of reverence. Furthermore, a work of art, in no matter what field, must be an expression of the nobility of the artist-composer, who in his composition seeks to catch some lofty dream for expression in this outer world. I think that art, among other things, embodies an intimation in some form or other of the larger life; and because of this I feel that real art is self-evident as to its beauty and appeal. In these modern days with art as it is so often expressed, there have to be elaborate explanations as to why any particular expression is really art. Where there is need of elaborate explanation there is not, in my opinion, true art. The beautiful things in nature are self-evident as to their beauty. One can not help admiring the stars, the flowers and the trees. Consciously or unconsciously one appreciates them and thus they give happiness. There is no need for anyone to try to explain why they must be appreciated and in what ways they are beautiful. That which is beautiful needs no explanation and no defence, even though the instructed individual may help us to perceive its subtleties of beauty which may not be entirely evident on the surface. Neither the truly great, nor the works of artistic genius need defence. Analysis, and what one might call vivisection, destroys instantly the flashing vision of the highest, be it in terms of dancing, or music, or painting or of sculpture. All beautiful things bring their own message of beauty. But, as I have said before, where there is no beauty, where there is no message of beauty,

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there is no Art. The truest argument for beauty is the witness of the soul rather than of the mind.

The spirit of womanhood is the spirit of the artist. Such is the power of the artist in woman that she can destroy or elevate. It is well known that civilization owes its greatness or its smallness to the influence of woman. Her influence in the home, her influence on the man, her influence in her surroundings, is of the greatest importance for the forward march of civilization. If there is war, if there is unhappiness, if there is ugliness in the world, to a great extent it is due to the fact that the highest in womanhood has not yet been released into the world. It is not true to the spirit of the highest in woman to be sensual or crude. Therefore it is that when one sees a woman who is coarse in nature it is more terrible than the coarseness in anything else. In India, womanhood in the past had been raised to the highest ideal. Motherhood was worshipped. There is no temple where there is a God without a Goddess. The greatest Deity is conceived as a man and woman, and never as man alone. As one looks to the Fatherhood of God one also looks to the Motherhood of God.

The next most important quality in woman is compassion and woman as artist is one who can express that divine compassion of the true mother. It is not possible for every woman to be an artist in the ordinary sense of the word, necessarily to dance, to sing or to paint. But it is necessary that in her walk, in her speech and in her actions she should be the very embodiment of beauty and grace. But the study of beauty and the study of the Arts helps in the development of the second quality which is that of compassion. To be a true artist one has to aspire to express fine emotions. Without emotion of the highest kind there can be no true art on the physical plane. And if the emotion is stirred through the Arts, which it is bound to be,

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and if that emotion because of the Arts is lifted into the highest realms, then is given birth true understanding, true compassion. Is there a greater artist than the artist who has deep understanding, who can bring happiness to every creature in the world? Is there a greater woman than she who mothers her nation, either as mother in the home or the mother who is a statesman, the mother who is a true educationalist, the mother who works for the poor, or the mother who expresses her tenderness to the young including the animal kingdom? I see women in modern life who take up different professions, carrying the personal motherhood which they express to their country, to all the nations of the world. Such compassion that stirs a woman's soul to forget the smallnesses of life, to become truly great in her understanding, whether she is a physical mother or not, such compassion creates the greatest artist who is the mother and such motherhood is the very soul and essence of womanhood.

Looking down the vistas of civilization and noting all the most wonderful forms of art which have given grace and glory to humanity we perceive that almost all of them are the outcome of the inspiration of woman. I think it would be hardly an exaggeration to say that the soul of a woman is behind most of the magnificent creations of artists from time immemorial. She is the very essence and fragrance of life. Supremely can she bring joy and ecstasy into physical and spiritual life, grace into the work of painter or musician or dancer; and more often than not she is the very vision of beauty which the sculptor sees in the potencies of his marble. I am afraid that in these days the priestess-office of woman is more often dishonoured than honoured. Woman is not the artist she should be and must be if the world is to grow. And in modern ideas of marriage and of sex we perceive woman's failure to rise to the fulfilment of her mission tragically exhibited. Not that

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man does not share the responsibility, but in these great Sacraments the failure of women is more disastrous even than the failure of men. It is here that the quality of reverence is so vital. As I have said, sex is one of the greatest Sacraments, one of the holiest things of life, and through it can come great inspirations, and great heights of ecstasy and genius may be reached. It is a mysterious and sacred power which, in the Indian Scriptures at all events finds beautiful and wonderful expression. It is supremely a matter for reverence. But when it becomes as ordinary a subject of conversation as the weather, or eating and drinking, or the fashions, then does it become humbled into the dust. Sex and its expression reflect Divinity in its mighty power and unfathomable magic, and reminds us of the fact that we ourselves are divine, that in us dwells the Power of God. Irreverence and vulgarity in relation to sex are nothing short of blasphemy, of degradation.

Fortunately, for the most part, among Indian women there is a culture and a refinement in these directions which, so far as I have observed, are unequalled anywhere else in spite of the unhappy social conditions that exist in our land, though I am bound to admit that there are disquieting signs of Western crudities gaining access to Eastern refinements. What can be more horrible than the talk, so prevalent in the West to-day, of "sex appeal"? What can be more horrible than for women to imagine that their highest value lies in such appeal? As yet this degradation has hardly touched Indian life. May it never do so, for it degrades us to levels lower than that of animals, for animals lead beautiful and natural lives. There is a simple trueness of relationship between the sexes in the animal kingdom and an exquisite attitude toward the young ones which does not seem to persist among many members of the human kingdom. If we descend to the level of animals, at least let us emulate their grace and their simplicity.

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But if we desire to be human beings in a beautiful way, we should combine the simplicity of the animal with what should be the nobility and the splendid reverence of the human.

Of course, the whole problem of womanhood and the restoration of womanhood to its sublime functions in no small measure depends upon right education. Without right education, without beauty and refinement in the home, woman cannot regain that pre-eminence in the world's life which is so necessary to the world's peace, happiness and prosperity. She needs an education which shall inspire men and women to respect one another, to be free and equal, each in his or her own unique way. Education should not merely mean the attainment of degrees or a worldly sophistication. Nor should it merely be to the end of earning a livelihood. Education should give freedom to each individual for the release of the glories of his soul, freedom to be wonderful, freedom to be beautiful and true. Real freedom is that which gives courage to pursue and attain these ends, to achieve the highest. I am afraid that freedom as it is known in the world to-day is hardly freedom at all. So often it is but an excuse for licentiousness and irresponsibility, for tyranny and for cruelty. It is this wrong conception of freedom and the accompanying wrong education which has trampled womanhood under foot and has brought down that which is highest in woman into the very mire of life.

I hope a day will come soon when education will give real freedom both to men and to women, so that men may "do" and women may "be." How soon would India achieve her own freedom if in Indian womanhood were reborn the ancient spirit of Indian women of the past. I can see an India where there is no dearth of ideals, a day when womanhood cannot be degraded through the ugliness and sensualities that exist. I can see the time when the Arts shall have such a high place

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and high influence that it will never be possible to bring down the most wonderful in life to the ordinary everyday ugly conceptions. Where refinement will help to make every action and every word, kind and refined. The highest art is to transmute what is ugly and make it beautiful. And the greatest transmuter is woman. Only as women triumph over the frustration of their womanhood, only as women become free, only as women regain their power as artists and inspirers, only as women express all that is truest and most beautiful in womanhood, will men themselves regain their own manhood and nobility, and all the world emerge from darkness and unhappiness.

## INDIAN DANCING

*By SHRIMATI HUTHEESING*

Dancing is the expression of Life's urge. It stands at the source of all the arts that express themselves in the human person. It is the primitive and ultimate means of expression and communication; pure and spontaneous is its form. The primitive man had no musical instrument nor had he the knowledge of the organisation of musical sounds. He did not know how to chisel or paint, nor had he the tools. He had only his own body which he moved rhythmically to express his joy, his sorrow, his fear. With the evolution of the emotional life of man, the dance developed into a finer and a deeper art of expression and communication.

The dance is to express through rhythmic bodily movements the joy and the power of Being; to unfold ever new possibilities in the revelation of Beauty and Truth. Pure dance knows no bounds. To shut it within the narrow geographical limits and stagnant ideas is to rob it of its freedom which is Life's privilege. There was a time when the heart of our country throbbed with the rhythm of unhampered and spontaneous flow of dance but through lapse of time, it is choked up leaving stagnant rigid pools of professionalism. Dancing has degenerated into a catering for the sordid and diseased mind. It has come to mean a mere pastime associated with the most ephemeral phases of life. But this is slowly passing away and we are gradually emerging from this perversion and obscuration. A short account of the various folk and classical dances of our country is necessary in order to understand the period

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of Renaissance in Indian dancing.

In the dances of the aboriginal tribes like the Santhals, the Kolis and the Bhils, we see the origin of the harvest dance, the rain and the storm dance, the devil and similar other dances. The primitive man danced in order to invoke or to appease the various manifestations of Nature, according to his need. The monotony of their drum-beats and of their primitive, crude though at times graceful bodily movements, work as intoxication on the mind and create a religious frenzy among the dancers and the audience. It is danced by a group of women, who forming into a semicircle, sing as they dance and one or two drum-players standing in the middle, keep time, yell and dance and excite the women to dance. There are male dancers too, who are like priests and dance on rare occasions to appease the angry spirits or to create fear among the audience. These dancers are held in great esteem by the aborigines and great reverence is shown to them.

The Garba of Gujarat, Kaikottikali of Malabar, Kajari in North India and the Rasleela in Manipur are the few main Folk-dances of our country. Religious in character, they are refined in body movements, and bespeak of an advanced technique. Monotonous at times, they do not lack grace and vigour. The Garba has both grace and vigour but lacks variety in foot-work, while the Kaikottikali of Malabar though not so graceful has strength of movement and variety in foot-work. It is interesting to note that the Folk-dance of Gujarat is the only Folk-dance in India where besides groups of men and women dancing separately, there are dances in which both men and women join together. Carrying earthen pots illuminated with earthen lamps, or carrying beautiful brass jars on their heads, the women of Gujarat move gracefully in a circle, singing religious and lyrical songs and clapping their hands to keep time. They also dance with two small

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wooden sticks, the drawings of which we find in Ajanta and other old paintings. At times the singing stops and then the real dance begins, inspired only by the drum-beats, the movements become more vigorous and the steps more quick.

As far as the Folk-dances are concerned, the Manipuri Rasleela requiring a good deal of training, is much advanced in technique and can be classed as "classical." Steeped in religious fervour, taught in the royal families of Manipur, the Rasleela depicting the life of Lord Krishna with the cowboys and the Gopis is held in great reverence which every art, deserves. There is grace, variety, vigour and expression. Groups of women as Gopis dance separately while the part of Radha is danced by a young boy. The dances of women are generally slow and simple but those of boys and men are full of strength and variety. For accompaniment, they have vocal music and 'Khol'—a kind of Mridanga which they play beautifully.

Coming to the classical dances, the most important are the Kathaka of North India, Bharata Natya—followed in the South and Kathakali and Mohiniattam of Malabar. These are wholly in the hands of the professional dancers, who are employed by the degenerate rich to excite and soothe their diseased minds and bodies. The vitiating atmosphere surrounding the classical dances leave us but a little scope to fathom and divulge the real beauty and the perfect technique of this great art. Greatly influenced by the Muslim culture, the classical dance of North India has a most elaborate 'time'—'Tal' idea, the execution of which results in the most intricate foot-work producing exact sounds of the 'Table' which accompanies it. The gestures and the hip movements, the play of the eyes and the neck movements, in short the movement and expression of the whole body are intended to give voluptuous pleasure to the onlookers. The dance reveals a highly developed

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technique but as usually represented it is common and vulgar.

The Bharata-Vatya—followed in the South is a purely Hindu Art. The language of gestures called 'Mudras' expressing Gods, animals, objects and emotions, play an important part in the South Indian dances. The foot-work is not so elaborate as in the Kathake, while the movements of the body are rather angular and more restrained. Very similar to this is the Mohini-Attam of Malabar—an art which is fast disappearing. Danced only by the women, all these classical dances require years of regular training which begins at a very tender age under the instruction of male professional teachers. The classical dance to-day is all technique and no art, for it is not creative but reproductive.

Before concluding this account of the classical dances in India a few words about Kathakali which is becoming very popular now-a-days and about which much has been written and said, are necessary. All over India in the villages we find troupes of actors and singers who wander from place to place, performing stories from the Ramayan and the Mahabharata with little or no stage arrangements. These troupes are known by different names in different provinces. In Malabar they call it a *Kathakali* troupe—*Katha* means a story and *Kali* means play—a story-play. Unlike the other village troupes, the Kathakali actors do not speak but do dumb-acting while two singers stand at their back and sing the stories, they act, accompanied by drums and cymbals. The plays are performed in the open and last throughout the night. The actors wear huge frilled dresses and their make up which is very elaborate and interesting, is very much like a mask. To master the Kathakali technique which consists in the play of the eyes, the control of the facial muscles, the Mudras or the language of gestures and the wide apart position of the legs on which the Kathakali movements are

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based, the actors have to undergo a course of rigorous training which begins at the age of nine or ten and continues till they are quite grown up. It is not quite correct to consider Kathakali which is more or less a pantomime, as a dance or even a dance-drama. There is very little of dancing in the whole play. At the commencement of every play, there are a couple of invocation dances, danced behind the curtain. The actors move around in a short dance called 'Kalasham' at the end of every song or verse. Then there is a dance for the woman character called Sari and a bird's dance like the peacock-dance or the swan-dance. The dances are full of strength and vigour but it lacks the variety in movements and foot-work found in the classical dances. The physical training given to the actors is very scientific and one wonders at the crude and primitive presentation of their art. Rigidly formal, the Kathakali at times is ridiculously naturalistic. Apart from its technique which is very interesting Kathakali like the classical dances is a dead art.

Since last ten or twelve years attempts are being made to introduce dancing in our social life, to free it from the vitiating atmosphere surrounding it, and to give it its proper place along with the other arts like music and painting. In concerts and school-shows, in social and family festivals, dancing has been introduced and plays an important role in all the social functions of our day. Graceful rhythmic movements accompanied by vocal music was and is even now taken for dancing. It has become a fashion to dance—to dance without proper study under cover of charity shows, relief funds and social personalities. It is time to realise that dance is not random meaningless movements but is an art which like every other art demands a serious study of its technique and a life-long devotion. Only a few have come out of this chaos of meaningless movements and taken it up seriously. And yet, how few there

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are who realise the value of serious regular study and sincere devotion to master an art? The majority is content with a few random lessons here and there. It means accomplishment—not art. The few who study the art seriously are worthy of admiration. They disregard the social opposition and courageously come out in the public to give an exhibition of their art. Most of these dancers merely reproduce the traditional dances. Their dancing lacks individual touch which the professional dancer with his mastery of the technique acquired through years of rigorous training, is able to evade from the public eye. Dancers with individuality are very few but they are there. They have not only studied the art properly and seriously but apart from reproducing pure traditional dances they have tried to present the old themes in new forms to suit the demand of the modern life. But the work of an artist does not cease here; and artist should create, create new themes and new forms and not garb the old themes in modern robes. Art speaks of Life—The Life we live and feel. The old forms with their old ideas have nothing in common with our present-day life, our struggles, our passions and aspirations. Art cannot survive in stagnant pools of old dead ideas and sentiments. Dance is neither mere rhythmic movements nor mere foot-work; it is neither mere technique nor it is merely decorative. Art must express the vital problems of our life; must reveal Beauty and Truth. Have we not enough of Radha-Krishna and Shiva-Parvati? It is not time to awake from the lethargy of age-old sentiments clothed in religion? Has the present generation no passions, no struggles, no aspirations of their own? Have they nothing to tell—nothing to give to the world? Let the youth of our country come forward and speak for themselves not only through action but through literature, through painting and sculpture, through music and also through dance.

## **INDUSTRY**



## WOMEN IN INDUSTRY

*By KAMALA CHATTERJEE*

India is passing through a period of great political and social change. In the heat of the Socio-Political struggle we are apt to overlook the far-reaching effects of the Industrial Revolution which has been slowly remodelling the economic structure of Indian life during the last few decades.

The economic life of India can still be described as three fourths agricultural, yet the potency of this Industrial change has been so great that it has permeated into the remotest villages of India, affecting agriculture, social relationship, manners, habits and family life, so that a student of contemporary Indian history must give this economic reorganisation more than a passing glance.

It is only natural that a great social change of this nature should affect women equally, if not in a greater degree than men. The woman preserves and lends continuity to the tradition and culture of the race, hence she is more conservative and it is more difficult for her to adjust her life to any basic changes.

The Industrial Revolution has caused social readjustments intrinsically alien to the ideals of our culture and civilization and so, has affected our working women more fundamentally than men. Nevertheless, industrial employment for a large number of women has become a part of India's economic life. Whatever may be the social or moral valuation put upon this change, economically it cannot be denied in its entirety.

With this change new problems have arisen both

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for the men and women in industry and the women have their own particular grievances in addition to the hardships they are sharing with their fathers and husbands.

In order to effect progressive improvements for their well being, continuous efforts will have to be made by the State, by voluntary humanitarian organisations and ultimately by the workers themselves when they are organised and educated enough for concerted action.

In the following pages an attempt has been made to present before the reader a picture of the life of the working women in the past and in contemporary times.

The historical portions, as in all matters connected with our ancient history, are a series of conclusions drawn indirectly from a study of authoritative texts and from descriptions of village life in places yet untouched and unchanged by our contact with Western Civilization. Statistics have been used to illustrate numerically the relative position of women in organised industry.

A summary of the efforts made so far to improve the lot of the working woman has also been given in these pages along with certain speculations that have been made with a view to suggest lines of action for future activity in this connection.

India has always been predominantly an agricultural country but she has also been a great manufacturing centre throughout the recorded past.

The history of Indian commerce dates very far back before the Christian era and our trade with the West has been carried along the trade routes that have existed from the earliest times.

We find mention of the excellence of Indian Silk and cotton in the writings of Herodotus and Megasthenes. Later the Roman Historians have left flattering records of our crafts and industries. The following quotation from Pliny will give an idea of the demand

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for Indian wares in Imperial Rome. He complains that "in no one year does India drain our empire of less than 550 millions of sesterces giving back her own wares in exchange."

In such a highly industrialized country women must have shared in the industrial life, but no definite information concerning their position is available. One of the earliest sources of information about the socio-economic condition of India, is found in Kautilya's *Arthashastra* dating approximately from 321—296 B. C.

In this remarkable book, the author has made an exhaustive survey of the economic and political structure of an ideal Indian State of his time.

Modern classifications such as labour legislation or womens' welfare cannot of course be expected in a treatise of such antiquity. Conclusions however may be drawn which will serve the purpose of an historical retrospect.

In the *Arthashastra* we find mention of women being provided with work from the State. They are employed as paid field labourers, weavers and spinners, as nurses and in many other capacities. In Chapter 23, BK ii. there is a full list of women who receive work from the superintendent of weaving who is to employ qualified persons to manufacture "threads, coats, cloths and ropes." Among them are widows, cripple women, girls, mendicant or ascetic women, women compelled to work in default of paying fines, old women, servants of the King, etc., etc., to be employed to cut wool, fibre, cotton, panicle, hemp and flax. To encourage fine work wages were fixed according to quality of thread spun and prizes were given to those who turned out a greater quantity of good quality thread.

Convenient arrangements were made for the women weavers in accordance with our ideas of decorum. Today the woman worker, no matter what ideas her former life was based on, is obliged to come out of her seclu-

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sion and, what is worse still, her legitimate claims for privacy in family life is usually disregarded. Not so in *Kautilya's* State as the following quotation will prove—“Those women who do not stir out of their houses, those whose husbands are gone abroad and those who are cripple or girls, may when obliged to work for subsistence be provided with work (spinning out threads) in due courtesy through the medium of maid-servants, (of the weaving establishments.)” Thus we see how wisely our ancestors had solved the vast problem of morality in the Industrial centres, which needs so many legislations and rules and regulations these days. The position of women with no husbands to take care of them and that of young girls in centres of industry are too well known to us.

Another quotation will show us the care taken of those women who came out of doors to work. “Those women who can present themselves at the weaving house shall at dawn be enabled to exchange their spinnings for wages.” If the Superintendent tried to take advantage of these women “he should be punished with the first amercement.” Delay in paying wages shall be punished with the “middlemost amercement.”

One more quotation will show that the State was well aware of its duty towards the mothers of the race and the need for maternity benefits was not overlooked. In Chapter 1 BKi we find that the king shall provide subsistence to helpless women before, and to the children, after confinement. The above excerpts from the *Arthashastra* show us that women had a definite place in industry as then prevalent and was well looked after. She could take her work home and would receive proper remuneration. This guaranteed conservation of family attachments and fully retained the aims of a well organised system of cottage industries for the production of goods, in which value depended very much upon proper concentration by the worker. This concentration was

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secured in the worker by making it possible for her to work in familiar surroundings where she could be free to proceed with her work as well as perform the duties of a mother. It is well known that the social system of India remained as described above, unchanged through centuries in spite of occasional political upheavals, conquests by foreigners and lapses into anarchy.

The Mahomedan records dating from the twelfth century A. D. show that the foreign trade of India was kept up as in the days of the Hindu rulers. Manufactures of textiles, metal work, paper, sugar and leather goods are mentioned and the varieties of each particular class of manufacture that were usually placed on the market prove the existence of a highly efficient industrial life. *Karkhanas* are mentioned off and on with employment roles running into thousands of workers. These were usually factories run by the State for State and Court requirements. The usual run of commodities in the market were manufactured, as in earlier times, by a widely scattered system of cottage industries.

It can be safely assumed that until the coming of the East India Company, which instituted in India a merciless synthesis of statesmanship and Trade, the economic life of India retained its ancient characteristics, barring only the necessary State control we meet with in *Kautilya's* days.

Therefore in the village life of India political changes and revolutions seldom caused any fundamental disturbance until factories begin to spring up towards the latter half of the nineteenth century. The pre-factory economy of India can be studied under three different heads:—(1) The economy of the joint family, (2) Rural economy and (3) the usually disorganised economy of the towns and trade centres which have existed in India since the earliest days of recorded history. Although in the language of modern economics the productive life in

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a joint family cannot be classed under economic activities, most of the goods and services being produced for use and not for exchange, yet when the productive energies of the nation were used up in this class of activity, it cannot be overlooked. Most of the goods and services that are now purchased in the market by even the poorest, were in the days when the ancient system was still in force, produced within the family and for the family. Spinning, weaving, husking, churning, making of condiments and preserves, medicines, *gur*, unrefined sugar, grinding of flour, making *ghee* and numerous other requirements were supplied by the labour of the women of the family. Poorer castes usually helped in the manufacture of goods and in tending cattle, in agriculture, and in the building trade, etc., most of the products of which were often bartered. In this scheme of economy the question of employment or unemployment hours, wages and conditions did not usually arise. Then women and children had without distinction some sort of a stake in the assets of the joint family by which they could eke out their living. The joint family system provided all the amenities of modern social insurance in the form of maintenance and welfare work when necessary, minus, perhaps, the latter's palpable atmosphere of charity. It had its own tyrannies but did not injure the self-respect of the members to the same extent as waiting in a queue for dole does.

2. In the economy of the village we find a system of social economic guarantees. The produce of one's labour was sure to be taken up by the other members of the village community. There was no problem of over production or marketing. By a system of unwritten contracts to buy and sell among one another the village economy never showed the prosperity of mass production, trusts, corners or mergers, but at the same time it did not leave the workers at the mercy of far away

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markets and unknown capitalists. When the rail roads opened up the villages to the competition of factory produced goods, the self-contained ring of buyers and sellers which completed the economic life of the village was broken. Certain lines of goods, on account of their comparative cheapness and apparent superiority of finish ousted their village rivals. The weaver suddenly found that he had no buyers. The buyers of factory-made cloth found later that, though they could buy from the factories, they could not in return sell to the factories such of their products as were formerly consumed by the village weavers. So that, the economy of the village lost its balance due to the inroads of foreign or factory goods. This began to impoverish the villages through loss of employment and market.

3. The towns of ancient and medieval India were mostly great trading centres on account of their position on the main trading routes or of their political importance. The presence of a large number of merchants and traders at such centres stimulated the life of these towns in every way. It created employment indirectly for large numbers who were attracted from the surrounding areas. Personal service, transport, building, clothing, entertainment, catering and a host of other minor trades flourished in these centres on account of their political and commercial importance, but none of these trades were on a large scale and specialization being not so over developed as in modern times, the unemployed could easily drift from trade to trade. Definite hours were perhaps unknown but work was not done intensively so the evil effects of long indefinite hours of work were seldom manifest. Labourers in most cases obtained free boarding and lodging and did not suffer much even if their money wages were low and often long overdue. Women were seldom employed as independent working units. They usually helped their menfolk. The problems of their wages, hours and accommoda-

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tion, etc., were not as vital as they are to-day. Joint families supplying large groups of labourers, working on the piece rate system were quite common. In such groups unemployment, maternity welfare, sickness and other benefits, came in the natural course of a joint family management. The economic life of the people of India thus ran in narrow and self-contained circles when the Industrial Revolution backed by large scale foreign trade came upon it with a disruptive force hitherto unknown in the history of the land.

The position of the women worker changes fundamentally, with the coming of the Industrial era. The migration to the towns or industrial centres begins and everywhere we find the ancient system of family life breaking up, due either directly to the attraction for factory wages or to unemployment caused by the breaking up of the economic system of the village by the inroads of foreign goods. The repercussions of this change could also be felt in agriculture. The relative importance and value of different crops underwent changes and thus provoked corresponding changes in agricultural employment. Men migrated to distant places for factory work or to take their share in some new born boom in the field of agriculture, railway construction, irrigation, road making, mining, deforestation or plantation work. Women and sometimes entire families followed the men to these new centres of employment and a new scheme of existence for the workers began to take shape.

Industrial labour began to be thought of as such from the eighteen eighties. At the beginning of this period, there were only a few factories and a few thousand labourers. By 1915 the number of factories rose and industrial labour began to make its presence felt. During the first period labour was considered only as a factor of production. Hours were very long, housing condition dangerously inadequate and humanitarian considerations almost entirely absent. The outbreak of

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the war stimulated the growth of industries to a hitherto unknown extent. Profits increased enormously and the demand for labour in agriculture as well as in industry increased tremendously. Employers now found it necessary to take more notice of the workers than they had hitherto been obliged to. Strikes became an effective weapon for inducing improvements in the terms of employment. While the war lasted and for a short period after the war labour and its various problems became a permanent fixture in Indian social history. The end of the war and the Versailles Treaty no doubt synchronised with the beginning of the greatest trade depression that the world has ever seen but it also made labour an international question and India saw the Factory Law Amendment Act of 1922, The New Mines Act of 1923, The workmens' Compensation Act of 1923 and the Trade Union Act of 1926.

The depression is still continuing and labour's demands are not any longer put up with a view to get a larger share of the profits as during the war, but are generally an expression of labour's struggle for existence. The Royal commission on Indian labour of 1929 published their report in 1931 and set on foot a series of legislation concerning every branch of the life and work of labour.

The growth of factory labour can be best studied statistically. The following tables depict different aspects of this growth. In order to place the figures related to industry in proper perspective a general summary of employment figures for all occupations should be given before presenting the tables pertinent to the subject matter. In the census of 1931 we find the following analysis.

Agricultural labour	...	...	...	...	31,500,000
Cultivating owners	...	...	...	...	27,000,000
Cultivating tenants	...	...	...	...	34,000,000
Landlords	...	...	...	...	3,250,000

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Others	...	...	...	...	...	6,250,000
Industry, Trade, Transport and Mines	...	...	...	...	...	26,000,000
Domestic servants	...	...	...	...	...	11,000,000

### *Women in Factories*

The growth of factories and factory labour with special reference to the women worker in India during 1922—1932 is shown in the following table.

Year	No. of factories	Average number of persons employed	Women
1922	5144	1,361,002	206,887
1923	5985	1,409,173	221,045
1924	6406	1,455,592	235,332
1925	6926	1,494,958	247,514
1926	7251	1,518,391	249,669
1927	7515	1,533,382	253,158
1928	7863	1,520,315	252,933
1929	8129	1,553,169	257,161
1930	8148	1,528,302	254,905
1931	8143	1,438,487	231,183
1932	8241	1,419,711	225,632

The above figures prove that factories employed relatively a small number of women. The figures also indicate that the number of female workers was on the increase during these years and also that the percentage of women employed in factories has remained practically constant. We also find that the percentage of female employment reached its highest level in 1929, when the number of women employed was 257,161, the percentage being 17.07 of all employees, and that there was a steady decline in female employment in the figures for the following years. It should be noted here that the percentage of women workers varies widely from province to province. In 1929 women workers contributed to the total number of workers in the different provinces as shown below:—

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<i>Province</i>				<i>Percentage of female workers</i>
Madras	...	...	...	25.63
Bombay	...	...	...	20.73
Bengal	...	...	...	13.75
U. P.	...	...	...	7.06
Punjab	...	...	...	14.47
Burma	...	...	...	10.26
B. & O.	...	...	...	8.98
C. P. & Berar	...	...	...	35.17
Assam	...	...	...	33.48
Ajmer-Merwara	...	...	...	11.49
Delhi	...	...	...	2.75
Coorg and Bangalore	...	...	...	27.99
N.-W. F. Province	...	...	...	3.07

A study of the provincial figures in later years indicates that female labour is decreasing steadily. In 1929 the number of women employed in factories in Bengal was 77,966, 54,670 being employed in Jute Mills alone. In 1933, the total figure was 56,935 and the figure of the Jute Mills 37,337. In Bombay likewise there was a marked decrease. In 1929 the total number of women employed in factories in the Bombay presidency was 74,924 and the total figure for 1933 was approximately 68,446. Hence in spite of slight increase in some provinces we find a marked decrease in the industrially important Provinces of Bengal and Bombay where the largest number of women operatives are employed. This decrease is due to several causes. These being a general prevalence of unemployment owing to trade depression and a preferential employment of men with a view to avoid the inconveniences of employing women for whom among other provisions night work is prohibited.

### *Women in the Mines*

The position of women in the mining industry is undergoing a fundamental change. The principle for prohibiting women from underground work has been

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adopted by the Government of India and since 1929, the elimination of women has been progressing rapidly.

The following figures show the progression of this process of elimination.

	...	<i>Men</i>		<i>Women</i>	
		1933-1934	1933-1934	1933-1934	1933-1934
Underground	...	99,556	109,023	12,799	11,193
Open workings	...	30,866	38,431	10,721	12,173
Surface	...	40,616	44,756	11,949	13,805
Total	...	1710,38	192,210	35,469	37,171

The percentage of women working underground fell from 1930—34 as shown below:—

<i>Percentage of women working underground</i>	
1930	18.39
1931	16.81
1932	14.84
1933	13.14
1934	10.94

Total elimination was secured in certain mines where underground work involved more than ordinary danger but the coal mines in Bengal, Behar and Orissa, and the Central provinces and the salt mines in the Punjab were exempted from the Regulation of 1929. It was proposed that in these exempted mines, the prohibition of the employment of women underground should become operative by successive stage over a period of 10 years so that by 1939, the exempted mines will be subject to the rules applied to the other mines from 1929, and the practice of employing women underground will be completely abolished. This work of elimination has in fact, been more rapid than was expected and by July 1936, it is assumed, no women will work underground in the mines of India.

As a result of this change the difficulties of the women have been aggravated. It is true that under-

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ground work is harmful for the health of the women, but when supporting the scheme for prohibiting women from such work we must remember to be ready to offer the eliminated women the means for a better life. Otherwise, it will be asking them to come out of the mines and starve as so many of the dismissed ones are doing to-day.

They must live first to live any better and the responsibility of assuring them a better life, lies primarily with those who have advocated a rapid elimination.

It should be noted here that underground work in India is not as exhausting as that in most other countries. Our mines are usually not so deep and if conditions down below are improved by means of modern appliances there is no reason to suppose that underground work should be as harmful.

On the other hand prohibiting the employment of women underground has meant that the earning of the miner's family have been greatly reduced. As it is, the miner along with his wife, was earning barely subsistence wages. Now that the miner has to pay out of his earnings his male assistant who has replaced his wife, his wages have fallen below subsistence level. Ultimately this will mean, a dislocation of home life for him, because if the woman does not earn any longer, she will be left behind in the village, so that there will be no proper home for the miner and as a result of that, the already degraded moral tone of the mining centres will be still more degraded.

To aggravate the evils of the situation the outstill system of distilling liquor has made drinks very cheap in Behar. With no family to support on the spot there will be a greater temptation for the miner to spend his earnings at the liquor shop, and the inevitable degeneration of an illiterate population with easy access to liquor, will follow.

In fact, excessive drinking is already undermining

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the moral fibre and health of the mining population which will certainly increase if the miner has no home to return to after his work is over in the evening. In this connection it should be noted that there are absolutely no other places of recreation except drink shops for the miners. The first duty of any welfare organisation should be to provide means of recreation in the form of attractive tea shops, cinemas or sports which will keep the men away from the liquor shops.

In such circumstances we should proceed on such principles as would lessen the suffering of these unfortunate people. This could be achieved by fixing a minimum wage for the miner and also by finding subsidiary occupation for the dismissed women in the immediate vicinity of the mining centres. This would enable the miner to support his family on the spot.

Until we could provide them with these alternatives we cannot be justified in supporting the scheme of complete elimination because if these women are removed from underground work in the present condition, the distress, will be so great in the miners' homes that it will far outweigh the evils of allowing them underground.

The whole idea of elimination is based on a better life for the miner so that if that ideal is not attained the working of the scheme will have defeated its purpose.

### *Women in Plantations*

Of the plantation industries in India, tea is by far the most important from the point of view of labour strength, value of products and the area under cultivation. Next to tea, coffee and rubber should be mentioned. Cinchona also is important being completely a state enterprise for the manufacture of quinine.

The woman's position in the plantation is superior to that of her sisters in the factories and mines. This is because plantations have all along demanded for the

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recruitment of whole families which preserves home life for the worker while, the factories have asked for individual who usually have to leave their families in the villages for want of sufficient employment for their wives and children at their new centres of work. On the other hand there is ample field for productive work in the plantation for all women and children who accompany the workers. Moreover the agriculturalist of the village when they are taken over to the plantations do not have to cut themselves away from their traditional mode of living for the plantations provide agricultural work either for the companies or on the private plots of land granted to the workers. So that, it may be asserted that the woman in the plantations continues to live her accustomed life untrammelled by any drastic changes. This however is more true of the situation now prevailing in the plantations. In the past grave abuses were committed in the name of recruitment, as well as in connection with conditions of living and employment. Tea gardens which absorb nearly 60 % of all labour employed in plantations or in raising special crops show a proportion of woman workers above 45 %. The number of women employed in growing coffee, rubber, cinchona, pan or betel leaves and other special crops would show a similar percentage.

### *Women in all Occupations*

Coming now to all occupations in which we find women workers, a running statistical survey should suffice to give a general idea of the situation. It should be noted, however, that occupational figures do not deal with only industrial workers in the strictly legal sense of industry. A vast majority of workers in the various occupations though wage earners are exempt from the privileges and protection of what labour legislation there is in force in India, and this is a position which will require years of hard work on the part of Indian

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administrators to be improved upon and brought to a level with the status afforded to workers in all fields in the more advanced countries of the world. The figures given below incidentally provide a view of the changes coming over such class of employment as affecting the relative numerical strength of women workers. In some the percentage of women is falling considerably owing to greater mechanisation or legislative interference.

<i>Occupation</i>	<i>No. of workers</i>	<i>Percentage of women workers</i>
1. Exploitation of Minerals	1911—308449	1911—31.7
	1931—324142	1931—23.6
2. Coal Mines and Petroleum wells .. ..	1901—66549 1931—192935	1901—43.4 1931—23.8
3. Metallic Minerals .. ..	1901—25084 1931—46628	1901—11.6 1931—21.1
4. Industry .. ..	1911—17515230 1931—13553395	1911—34.3 1931—24.1
5. Wood .. ..	1901—1722018 1931—1495744	1901—25.0 1931—17.7
6. Metals .. ..	1901—759288 1931—665956	1901—10.4 1931—5.7
7. Ceramics .. ..	1901—1043432 1931—917736	1901—32.4 1931—24.5
8. Construction and Means of transport .. ..	1901—49350 1931—27899	1901—4.3 1931—1.7
9. Wool .. ..	1901—197494 1931—86693	1901—39.3 1931—33.2
10. Silk .. ..	1901—224743 1931—61323	1901—52.3 1931—45.9
11. Dyeing, Bleaching and Printing, etc. .. ..	1901—100220 1931—93164	1901—27.3 1931—20.7
12. Lace Embroideries, etc. ..	1901—24167 1931—25878	1901—40.5 1931—38.5
13. Hides, skin, etc. ..	1901—1401199 1931—283909	1901—18.0 1931—11.6
14. Chemicals .. ..	1901—158392 1931—551590	1901—25.1 1931—30.3
15. Food Industries .. ..	1901—4546748 1931—1350158	1901—49.1 1931—49.7

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<i>Occupation</i>	<i>No. of workers</i>	<i>Percentage of women workers</i>
16. Rice Mills .. ..	1901—657168 1931—506865	1901—85.5 1931—80.3
17. Dress and Toilet .. ..	1901—940359 1931—3061345	1901—26.3 1931—20.7
18. Furniture .. ..	1901—1045 1931—19716	1901—44.6 1931—16.1
19. Building Industries .. ..	1901—673135 1931—586254	1901—18.1 1931—12.7
20. Heat, Light and Electricity .. ..	1911—7257 1931—23453	1911—3.2 1931—9.5
21. Luxuries, Literatures, Arts and Science .. ..	1911—823100 1931—674558	1911—9.9 1931—4.8

From a study of the occupational figures given above, it can be seen that excepting in Metallic Minerals, chemicals, food and heat, light and electricity industries the relative number of women workers as compared to the total number of workers shows a decline. This decline is very noticeable in some of the occupational groups, such as, furniture in which the fall is from 44.6 % to 16.1 %, coal mines and petroleum wells the fall is from 43.4 % to 23.8 %, in Industry the fall is from 34.3 % to 24.1 %, in wood the fall is from 25.0 % to 17.7 %, in Ceramics the fall is from 32.4 % to 24.5 %, in dyeing and bleaching the fall is from 27.3 % to 20.7 %, in Hides and skins, etc., the fall is from 18.0 % to 11.6 % etc. In such occupations as show a great fall in the absolute number of workers employed along with a fall in the percentage of woman workers, as in Industry in which the total number of workers fell from 17,515,230 in 1911 to 13,553,395 in 1931, the women labourers suffered unemployment very intensively.

Certain occupations which formerly gave employment to large numbers of workers seem to be undergoing a steady process of disintegration, thus affecting the well being of large numbers of men as well as women workers.

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Such are the groups construction and means of transport, wool, silk, Hides and skins, food industries and Luxuries; etc. In these groups the replacement of indigenous products by foreign goods may be shown up as the most important factor affecting the prosperity of the Indian workers. Foreign modes of conveyance and transport by railways, buses and steamers have certainly broken up the Indian industries supplying carts, carriages, boats, etc. Foreign woollen goods and cheap foreign silks have driven *Pashmina*, *Kambal*, *Lui*, *Dhosa*, etc., out of the market as far as the majority of Indian buyers are concerned, and Japanese silk or Italian, English or French artificial silks have played havoc with the silk manufactures of Kashmir, Benares, Murshidabad, Bishnupur and other places. Foreign leather and leather goods have also done great harm to our village leather workers, to which may be added the extra damage done by rubber sole shoes. The centralisation of oil mills, flour mills, rice mills, etc., and the inroads made by foreign vegetable "Ghee" and condiments, and sweets, etc. may account for the loss of employment of many Indian women workers.

Indian women can do a lot to rehabilitate large numbers of our unemployed brethren and sisters to get back their jobs, if only they practised Swadeshi in their purchases of woollen goods, silks, leather goods, and articles of luxury and *objects d'arts*. The revival of our national artistic discrimination may, also, help a great deal in this work of reconstruction. For our products were ousted by foreign goods, not on account of inferiority but on grounds of alleged "Fashion" and due to a temporary blindness born of a national sense of inferiority.

We have seen from the detailed figures given above that although there is a marked decline in the employment of women in most industries, yet a very vast number of women are at present working and will always be work-

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ing for their livelihood in different industrial centres. So that the conditions in which they work need a serious study by all well-wishers of our country.

### *Conditions of Work*

The inconveniences under which they work are many. Some of these they share in common with the men as those concerned with the basic terms and conditions of work and employment, but there are others which concern women only and these they suffer without much effort being made by outside agencies to secure relief.

Heading the list of grievances is the method of employment which brings the agriculturalist worker to the new industrial centres. This is universally done by a set of intermediaries known as either Jobbers, Sirdars or *Mukkadams*. The Jobber is the intermediary between the employer and the employee and takes orders from the employer and also notifies the latter on points of grievances of the workers. The workers are dependent on him for the security of the job as well as often outside the factory premises for help when they are in debt. The result of all this control by the Jobber, leads to abuses and the latter takes advantage of his position very frequently by taking bribes and dismissing and engaging the workers as he likes. The position of the women workers is made specially difficult in such a system. The female counterpart of the Jobber, the naikin and mukkadamin are almost as devoid of the moral sense as the Jobbers themselves, and women have to bear innumerable humiliating ordeals in order to keep their jobs. It should be noted here that a recent report from Bombay states that several cotton mills there have already commenced to engage workers directly by their managers. Prohibition of the Jobber system by law is however very necessary, as it is very much in force everywhere.

In this connection the recommendations of the

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Royal Commission should be carried out immediately and a responsible and educated woman Inspector with a substantial pay should be appointed for the supervision of women wherever they are employed in an appreciable number.

Women working as dependent labourers, that is to say, not as direct wage earners but receiving wages or maintenance through a principal worker, constitute another problem. Out of every 1000 such dependent workers 733 are females whereas among directly wage earning principal workers women number 222 per 1000. This is a field where much exploitation of women is prevalent and this system of indirect employment should be slowly abolished and direct employment introduced in all fields of work. Direct recruitment, payment and recognition of all women workers is therefore still a major problem of the life of women workers in India.

Certain provinces of India show a high percentage of workers migrating to other provinces in search of work. Such are Bihar and Orissa, the United Provinces, Madras and the Central Provinces. Madras sends most of her emigrant labourers to Malaya and to other places beyond India. It is necessary that in these provinces there should be propaganda for the information of would-be emigrants regarding the truth behind the expected profits of emigration. For provinces which lose a large number of cultivators and other workers should see that the indirect losses to the economy of the province by such depletion of their labour power are fully balanced by at least proportionate gains to the individuals who go out.

### *Unemployment*

The question of unemployment naturally arises in connection with that of employment. Every year unemployment is increasing steadily in India but yet no serious attempt has been made to deal with the problem.

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The difficulty of studying the question is due mainly to the fact that industrial employment in India is not always sought by the workers as a permanent means of earning a livelihood. Employment is either temporary, periodic, semi-permanent or permanent. Temporary employment, such as is obtained in building Railways, Canals, etc., is looked upon by the labourers as a source of extra income. When such employment ceases the workers return to their normal occupation and no serious problem of unemployment arises.

Periodic employment is found in seasonal industries and the workers usually have other work during off-season. Those among them who have no such occupation would be greatly benefited by the provision of suitable cottage industries for the off-season.

The problem of unemployment is very real amongst persons employed either semi-permanently or permanently in the various specialised industries. In these the workers are usually recruited from far away villages. An enquiry made in Bombay in 1927-28 showed that among those who were the subject of the enquiry not one worker was born in Bombay. Such persons seldom have anything to fall back upon in case of unemployment.

In order to help the workers in such times of trouble a system of unemployment insurance for the benefit of workers who can show at least 2 years continuous work in any one industry should be instituted out of funds raised through the contribution of employers and employees and through taxes on the products of particular industries.

### *Housing of Workers*

The housing conditions in factories and mines are far from what is required on grounds of sanitation and hygiene. Apart from the inconveniences suffered in ill-ventilated factories housed in unhealthy buildings the woman workers have to pass long hours in lines or

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*dbowras* which are far worse.

It is a well-known fact that the type of housing provided to the work people is inadequate in point of ventilation and room space. The terrible back to back type of building which prevents cross ventilation is still adhered to in many factories and mines. Some rooms of this latter type that are seen in the mining area are mere hovels unfit for the habitation of any living being. During an inspection of such *dbowras* it was found to be quite impossible to distinguish anything inside some of the rooms at 11 o'clock in the morning! In such a room the women is supposed to manage her family consisting of 4 or 5 members.

On rainy days she has also to cook in this room and then sleep in it at night with her family in this unhealthy smoke laden atmosphere. So we see what a fine chance the children of the working classes have to grow into healthy and efficient operatives.

A description of the housing of factory workers in Ahmedabad shows that out of 23,706 tenements observed 5,669 had no provision of water, 5,360 had no latrines, few had any kind of drainage. Such figures were available for Ahmedabad only, but industrial housing is bad in all centres. The *chawls* of Bombay provide insanitary housing on a larger scale in a more compact shape. The rate of infant and other mortality and the prevalence of consumption among the working population are a more certain indication of the unhealthy nature of the housing provided there.

In this respect the working population in Bengal suffer less inconveniences. The housing provided by the employers is usually not so inadequate and the water supply is ample. This however does not apply to the *Bastis* where conditions are definitely undesirable.

The Central Provinces are experimenting with a housing scheme, which if successful should set up a new standard in industrial housing. Another problem

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connected with housing which affects woman particularly is that of privacy. At present there is almost universal want of privacy which is essential for family life in all industrial centres. Some of the lines or *dhowras* built very recently are paying more attention to this point but the older ones which far out number the newer constructions lack such arrangements entirely. In connection with housing, it should be stated that there is an almost universal lack of latrine accommodation in industrial areas. Latrines should be provided everywhere and a sufficient number reserved for the use of women exclusively.

### *Maternity Benefits*

The greatest needs of the women workers are those connected with motherhood, child rearing and specialised medical aid. Creches maternity benefits and hospitals are provided to only a small fraction of the women who have to work away from their homes for earning a living. Such arrangements are made in many centres of industry in India either voluntarily or by legislation. Bombay deserves praise in this connection for providing maternity benefits and good creches which are run efficiently. Other provinces also have such arrangements in the case of the better type of industrial organisations. The ideals of welfare work therefore have not gone unrecognised in India, but the available arrangements benefit only a minority of women and being very often of a voluntary nature enable had employers to take advantage of the want of widely enforced legislation. Therefore it is essential that an All India Maternity Benefits Act should come into force without delay.

### *Eliminated Women in Mining Centres*

The position of the dismissed women in the mining area needs particular mention here. In view of the

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rapid progress of elimination of women from the mines, and the want of any other occupation which can absorb them an intensive state of unemployment has been created in the mining area which will reach its culmination when the process is completed. Already distress has appeared in various forms. Hence a special kind of welfare work for the relief of the distressed women should be immediately organised to help them through the miseries of the transitional period. This should comprise the starting of cottage industries and the provision of other work in the neighbourhood which will benefit the community and at the same time give relief. The Kustore colliery in the Jharia area is doing splendid welfare work which is providing a livelihood to 500 women workers. The idea originated from Rai Bahadur H. P. Banerjee, the Coal Raising Contractor of the Kustore Colliery and received every support it deserved from Captain J. C. Foster the Manager of the coal department, and Captain M. McCormick, the General manager of the Colliery who helped with half the capital and the premises, the Rai Bahadur investing the other half. The scheme has cost Rs. 10,000/- and comprises cottage industries, the products of which are the necessities of the labouring class, employed in the mines, such as :

1. Paddy husking.
2. Wheat grinding.
3. Spinning and Weaving (by Charkhas and hand looms).
4. Cane Weaving *viz.*, chairs and basket making.
5. Biri-making.
6. Soap Manufacture.
7. Paper Bag making.
8. Grinding of pulses.
9. Craft work of various types and
10. Potteries by hand.

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The products find a ready market in the colliery area where the labour employed number 8000. The women however still prefer to work with their menfolk underground.

From a report sent to the writer by Rai Bahadur H. P. Banerjee the following quotation outlines a scheme of relief which may be adopted all over the mining area. The type of relief introduced by the Kustore "can be run by big collieries where the labour force and output is so large. In the case of smaller collieries however, it can be run by a group of these, each contributing on a suitable basis of output and to be controlled by some humanitarian society or Board." The women's organisations interested in this problem therefore, "have a great field in this direction for the improvement of the labouring class women in this country. More so as a lot of propaganda is necessary in the early stage to make them realise the boon of such societies." In any organised effort along these lines, voluntary and state action will have to combine to assure success.

### *General Problems*

i. The problem of educating the children of the workers has been thoroughly neglected in all industries. This touches the woman indirectly but vitally through her growing daughters and sons who roam the streets of the crowded centres when the mother is at her work and when they should be at school. No mother could work efficiently all the while being worried with anxiety about the safety of her children. Moreover, the girls of to-day will be the women of tomorrow and neglect of this work of education will give permanency to the mass illiteracy of Indian women. However, in the provision of education the better type of employer has often shown a great interest and one should induce the State to do its duty in this field with greater keenness

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rather than demand everything from the employers. Ultimately the revenue of the State depends on the total productivity of the nation. It has been proved beyond question that the skill and efficiency of labour increase enormously through education. The Western nations and Japan have achieved great improvements in the working power of women through education so that what women workers can do now in these lands were impossible even for male workers a few decades ago. Any expenditure on education therefore can be unhesitatingly described as productive investment. It is on this ground that one may insist upon the State to introduce compulsory, free education, at least in the industrial areas.

2. The provisions of the Indian Factories Act protecting women from excessive work are first of all not such as assure to women workers protection against overwork. Earnings and hours present a vicious circle which can be broken only by means of increased efficiency. We have already discussed the question of training and education which is paramount in this field. It must be pointed out however that not more than 10 % perhaps of all women workers are actually under the protection of this Act. Every effort should be made to apply the humanitarian laws aimed at the well being of all workers in every field where men and women work for wages. The question whether there should be a seasonal variation in the hours of work in India should also be seriously considered. Climatic conditions being an important contributing factor of industrial fatigue, workers can put in longer hours during the colder months than in summer. This fact should be borne in mind when fixing hours of work for men, women and children as also the varying conditions prevailing in the different industries.

3. It is well-known that women receive lower wages compared to men in all fields of work. Much

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of this is due to their lower productivity and to the fact that women's wages are usually of a supplementary nature when calculated in the sum total of the family income. But considering the fact that men do not receive their wages in India on the basis of a minimum subsistence income for the family, this latter fact should not be allowed to be taken advantage of by unfair employers. The wages of women should be based on productive ability and equal pay for equal work should be insisted upon emphatically. A comparison of the wages earned by men and women in the different industries is often difficult on account of lack of data. Some of the figures given below are however authoritative as well as illuminating.

	<i>Average daily earning</i>	<i>Men</i>			<i>Women</i>			
		Rs.	a.	p.	Rs.	a.	p.	
Bombay	...	...	1	8	0	0	11	11
Ahmedabad	...	...	1	6	8	0	12	6
Sholapur	...	...	1	0	4	0	6	8

It appears that in Bombay a woman earns half of what a man earns. In Ahmedabad it is more than half and in Sholapur it is much less than half. It would be absurd to suggest that the relative efficiency and productivity of women vary in this way in these three industrial centres. An assumption therefore that employers are able to exploit woman labour in different degrees in these places is perhaps nearer the truth.

In the Jute industry of Bengal men's wages vary between Rs. 11/- to Rs. 40/- a month and women's wages from Rs. 11/- to Rs. 14/-, Rs. 15/- per month.

In the mines of Bengal, Bihar and Orissa the men's earnings for unskilled labour vary from 4 annas to 8 annas, whereas women earn 2 annas and 9 pies to 6 annas a day.

4. Among the grievances connected with wages the one on underpayment overshadows all others. There

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are also the questions of payment in kind, holding up wages, irregular payments, fines and other deductions. These have been receiving the attention of Government, but a long period will elapse before suitable legislation can be made and enforced to safeguard the interests of all workers throughout India. The Employers' Liability Act should also be given a passing reference. The ideal of this kind of legislation is that whenever a worker suffers any injury while in the actual execution of his duties he should be compensated suitably by the employer. It may be safely assumed that excepting in the best organised branches of industry and work the enforcement of the law is more or less theoretical. Compulsory employers' liability insurance by all who employ workers should perhaps improve the situation greatly.

### *Conclusion*

The fundamental question affecting the happiness and well being of workers is whether a suitable livelihood can be earned by them without shifting in mass to the congested industrial centres. Also whether such centres can be developed into places which can assure to the workers a family life with the necessary social, cultural, and religious sides to it. If this is not possible, it may be necessary to advocate a retracing of steps back to the villages and into a scheme of decentralised but semi-industrialised existence. Proper electrification and transport arrangements may bring more prosperity to the country through scattered cottage industries than what is now being achieved through unhealthy mass production.

The living problem however is that of ameliorating the condition of these men and women who have become a part of the existing industrial structure of India. Widening up the industrial areas and the addition of small subsidiary industries will help to better

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the life of the workers and assure to the women an unhampered family life.

The above account of the position of women workers in India has of necessity also included most of the grievances of all labour irrespective of age and sex, as women share equally with men the major problems and grievances of existence of which the earning of a livelihood is the main problem.

In conclusion the writer wishes to point out that the problems connected with political and economic rights, education, the spread of superior cultural ideals and a general acceptance of the moral obligations of true citizenship are all interrelated. It is impossible to achieve improvement in any one field to the exclusion of the others.

The problem of the Industrial workers can be successfully solved only in the course of a national Socio-Economic Regeneration.

*N. B.*—The Writer records her indebtedness to the Statistical Laboratory of Calcutta for some of the statistics used in the above monograph. For other statistics and material she has used the Census of India, 1931, the Report of the Chief Inspector of Mines, Reports of the Directors of Industries Bengal and Bombay, Report of the Royal Commission on Labour in India, Sham Shastrī's translation of Kautilya's Arthashastra, and other private reports and publications.

## WOMEN AND FILM INDUSTRY

*By LILAVATI MUNSHI*

The motion picture industry is growing very rapidly in India. The first silent film was produced by Mr. Falke in 1913, and the first talkie by the Imperial Film Co., in 1930. There are no up-to-date figures available, but the figures showing the progress of the film industry upto 1932-33, show that till then over 125 companies for producing talkies came into existence, out of which no less than 80 were started in Bombay, a large number meeting with an untimely end. The industry employed about 14,000 persons, 40 per cent. of whom had some kind of education, while only a bare 10 per cent. had received higher education.

When the industry began it was exclusively in the hands of untrained directors. To see pictures produced by them was an ordeal for the educated classes. Men anxious to make money solely controlled the trade and they made it with the help of persons who by courtesy alone could be called artists. But times have changed and the industry is now no longer the monopoly of the illiterate and uncultured. To-day some companies are managed by broad-minded businessmen and men of culture; some pictures are directed by men of experience and knowledge; and in a few cases one can find 'stars' who perform their parts creditably. An Indian film "Amritmanthan" has even attracted international attention.

The industry has still greater possibilities. It is a great vehicle of art and education; no school or college can impart knowledge which the pictures can

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do. People of all nations come to know each other more by the pictures than by any other agency. The beauties of nature from all parts of the world are accessible to every one without his going out of his native town. The events of importance, the games and customs of different people, the cities and people of far off countries, the art, craft and treasure of many nations are presented to all. To-day the child is so well informed, the women so experienced and the men so broad-minded because of the pictures. In the future perhaps no social activity will be possible or effective without the aid of this industry.

Although the industry has almost revolutionised our lives, few people know what the industry actually is. If one visits a studio or a film city, he feels that he has come to an extraordinary world. Men and women of that world are everything but their real selves. They have emotions which are not their own and yet they live for it. They have changing personalities and yet an individuality of their own.

Women form the most important part of this world. The industry principally depends upon photography which by its very nature precludes the possibility of men masquerading as women. Sex appeal also provides the most powerful attraction to a film and many companies owe their very existence to one or two 'stars.' Subjects in which women do not figure appeal only to a few. The result was that even in its undeveloped condition in India in 1932-33 the industry gave employment to 20 per cent. women. No doubt a very small percentage of them was educated and a still smaller percentage drawn from educated families. But to-day we can find in this industry some women belonging to respectable and educated families who have figured as 'stars' on the screen and earned large incomes. In some rare cases women have even owned companies and become successful directors.

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With the growth of the industry and the purification of its atmosphere women would find in the industry a highly lucrative profession. Already the highest salary drawn by one of the stars in Bombay is reported to be much over Rs. 5,000/- . There are few professions open to women which can pay so highly and few careers which are as interesting. This profession makes one live in all times and in all countries and gives one the power to move the multitude. It gives a personal popularity which heroes and patriots might well envy. And there are possibilities even for those who are not lavishly gifted by nature. There is scope for every little thing, for a charming face, a good voice, a capacity to display emotions and an ability to dance, to perform acrobatics, or even to look ridiculous.

The first serious difficulty, however, which respectable women encounter when trying to join the industry is the securing of jobs. The captains of this industry are as critical as their brothers in other industries, and a respectable Indian lady with her traditions of modesty finds it hard to go from place to place attempting to secure employment. A service bureau run by competent women is essential if respectable women have to be attracted to this industry in large numbers.

The next difficulty is the sordidness which prevails in many studios. No doubt there are a few studios where men are courteous, the proprietors indulgent and the surroundings healthy. But in a majority of cases a rich man attracted by the lure of the industry, both pecuniary and emotional is at the head and has the outlook of a slave dealer. The director is more often than not a cynical person more familiar with the shady rather than the bright side of life. The women who do the odd jobs are generally drawn from walks of life whose morality is more than doubtful. In such studios a respectable girl would find it hard to follow

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her profession. But this is only a passing phase. The industry is slowly passing into the hands of the educated and cultured. The few companies that are prospering have also been seeing the essential advantage that lies in attracting the audience which usually go to see the more attractive foreign pictures and there is every reason to believe that in ten years' time every studio will be above reproach.

The belief that a girl from a good family would lose her respectability if she joined the profession is fast disappearing. Need for a professional career for women will perhaps soon destroy the little prejudice which is found in most men's mind against women joining the stage or the cinema. The protests which the Parsi community made against the appearance of a Parsi lady on the screen was perhaps the last futile gesture of dying conservatism. The basis of such protests is the atmosphere of the studio which is generally supposed to be immoral and a belief that even starvation would not justify resort to such a God-forsaken place. This ignores the fact that art is as great an attraction as money, and that a career of art is as noble as any of the so-called higher professions. Such objections do not appreciate the important fact that the presence of an accomplished woman invariably purifies the atmosphere of every place she chooses to go to.

The motion picture industry in this country has not reached as high a level as in the West. Most of our studios are not well equipped, they are not started with sufficient capital, and there is lack of good direction. In Europe and America the directors are highly trained and take infinite pain over their work. When they take up a story they study its whole conception and apply their mind to minute details. Scenery, costumes, make-up, settings of the times in which the plot is set are reproduced with care. Such a director,

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like a Pygmalion can shape his heroine into divinity. But here the ordinary picture is directed by a person who has scarcely any equipment for the work. He has no sense of realism, he does not care for that perfection of detail which is absolutely necessary for producing a successful picture, and even the natural talents of an actor are wasted, or find no scope.

Another serious drawback of our Indian life which makes the work of women in the industry rather difficult is that plots selected for the screen are stereotyped so far as women characters are concerned. These characters are either all good or all bad. The main types are a devoted or jealous wife, a loving mother, a dancing girl, a shrew and a lost woman. The mythological characters are all saints without any individuality. Lately some types of modern women who have imbibed the bad points, and not the good ones, of modern civilization are reproduced and they all quietly repent and come back to good old ways. There are young girls no doubt who want to marry for love, and defy the wishes of their parents. These are the only types which figure on the screen and our directors have not the courage to lead the way in different directions. Perhaps the fault does not lie with the author or the director but with the audience which has no interest beyond a few types. In an average Indian woman's life there is little scope for variety of interests, she is seldom found in uncommon situations and does not know how to respond to them.

The actresses also have their limitations. Generally they can only act their own type of character and are too proud or dull to act another. The natural result is that they pass out of fashion very soon. Unless they are capable of assuming different roles, and portraying different temperaments, the duration of their effective work is cut short. Attractive looks do not last long. A successful actress under the circumstances can only

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retain her popularity for about ten years. And this short career is scarcely a bed of roses. She must constantly exert herself to keep physically and mentally fit. She must take exercise and lead a careful life in order to look eternally young. In other professions as life advances one settles down, hoping for good many years of active work. But the cinema worker, as time advances recedes in the background. Her task is not always easy. She has plenty of hard work to do, keen jealously to face and bumptious directors and producers to please.

But as more educated people are coming into the line this aspect of life is fast improving. A great deal of fellow-feeling for them is coming into existence. The status of women workers in the industry has also considerably improved during the last ten years. They are no longer mere puppets of the proprietors or the directors. They have a good conception of art and they take great pains over their work. Persons like Sulochana, Gohar, Sabita Devi, Durgabai Khote, Devika Rani and Nalini Tharkad are pioneers who have done their best to uplift the cinemas; had they the facilities of the West at their command they would have achieved even better results.

Generally 'stars' do not find fitting partners. Few men actors come up to their level in technique and accomplishment and the quality of their work is decidedly inferior. I do not know why directors do not pay as much attention to their heroes as to their heroines and generally most of our films are produced featuring only the heroine, at the cost of the story and other important characters. No doubt there are a few concerns who look more to the development of the story and try to create a proper atmosphere rather than give undue prominence to one or two people. The Bengal and Maharashtra Pictures have become well known on account of their plots, while in Bombay even a good

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story is altered out of shape to exhibit the graces of one woman. Often a producer makes pictures to suit a certain type of audience or the audience of a particular province. There must be a cavvali, for a certain part of India want to hear it; and there must be shown a dancing girl's house for otherwise another province will not take the film. They must have many songs, in place or out of place. A good face must be shown often—a bit too often, and buffoonery must find a place to please the vulgar. Moral lectures are needed to earn cheap applause. And in the midst of so many "must haves" the poor story is shown scant courtesy. All this makes the work of the worker very difficult. Her future comes ultimately to depend upon the vagaries of fickle public and uncertain extraneous elements.

But after all is said, women who have the courage to join it will find great scope for work and self-fulfilment in this profession. Ability and willingness to work in a woman will carry her a good long way in this profession and if she happens to have good looks, personal charm and the gift of expressive acting she will rise to the top of the profession. But the principal quality on which will depend the future of women in this industry will be the capacity to exercise self control in a world where make believe sex relations are a matter of daily routine. Naturally where one's work is restricted to displaying vicarious emotions one's own personal emotions are likely to lose their value, but if a woman is wise enough to preserve the sanctity of her home life undisturbed, and remains untempted in her professional contact with men, she will easily develop those essential personal qualities on which alone good acting depends, and can aspire not only to be a 'star' but a guiding star of many lives.

## **RURAL LIFE**



## OUR VILLAGE TO-DAY

*By PROTIMA TAGORE*

While elsewhere the city is monopolising more and more the attention of the nation, in India, at the present moment, our thoughts are turning back to the ancient village life, and we wistfully remember the strength and character it had in olden days which was one of the principal causes of the cultural richness of our country.

Mahatma Gandhi has himself taken up the rural problem as his own, abandoning or postponing for it, for the moment, his political crusade. This fact alone might convince us of the vital importance of the problem and the seriousness of attention it needs. The problem is indeed difficult and complicated. As soon as we consider the present state of the village life in India, a question arises in our minds: how shall we manage to transform the conservative system which still dominates rural life, into a system more appropriate to modern times but still in harmony with the good sides of our tradition?

Having for a long time lived in contact with villages and in various ways come into contact with the daily life of its people, I have known something of what they are suffering from, and have tried to understand something of their needs, and the remedies one could offer them.

Take, for instance, the district we live in—Birbhum: it is a most backward part of Bengal and the people are very poor. The average income of each family is about Rs. 30/- per annum. With this meagre amount they

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have to meet the expenses of their food, dress, schooling and medical requirements. So it is no use asking them why they live so poorly. Until we can remove the fundamental cause of their poverty it is useless to ask them to change their modes of living. Being a densely populated part of the country the economic depression has created great misery. The joint family system being prevalent the individual does not get all the profit of his labour, which is distributed amongst the many members of his family. Division of property is another cause of poverty. To live properly, every individual must have 40 to 50 bighas of land to cultivate and maintain his wife and children with. If we want to raise the standard of the village life, it will be either necessary to send some of the inhabitants somewhere else, where they can earn their living, or to introduce some industry which can give supplementary employment.

We have to make our people understand all the forces that are being continually wasted so long as the present state of things continues. We must teach them to use rightly those forces that lie hidden, so to say, under a deep layer of obscurity.

We can learn much in studying what was going on in the past, when the village played an important part in the life of the whole country. What has happened to-day that has sapped and devitalised these obscure centres of our glorious civilization? Though the causes may be mainly economic, the consequences affect all the varied aspects of our life.

In the olden days, all our culture had its origin in the villages. The landlord used to encourage the arts and crafts in his village. Living amongst his people, it was his pleasure and his religious duty, as well as his own advantage, to enrich the cultural and social life of the village, in every possible way. All the flowers of culture: arts, crafts, literature, went from the village to the town and to the courts. There they

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flourished, being understood and patronised, and from there they spread all over the country.

Now, why were the villages able to attain such a high degree of culture? It was because in those days they enjoyed a complete freedom; none of the evils born of political changes weighed over them. Town-life was no burden to them in those days; it could not overshadow or smother their own independent lives and so thwart their spontaneous and modest creative activity. Our villages at one time were like small independent republics. They had much greater freedom to manage their own affairs than since the introduction of the so-called modern democratic form of government from Europe. They had their village committees called *Panchayats* under the leadership of headmen called "Morals." The *Panchayat* was responsible for the internal administration of the village and little the villagers cared who the King was that ruled the country nor who the Emperor that sat on the throne of Delhi. The landlord used to pay due regard to the *Panchayats*, and the *Panchayat* could exercise its powers even to the length of outcasting the landlord. Life in the villages was favourable for the development of individual character. The personal contact with the *guru* in the "tol" system of education was particularly helpful in this respect.

It is significant that the political changes did not affect the people of India so much as the religious upheavals. Just imagine how fundamentally the introduction of Sankar's Brahminism at the time of the decay of Buddhism revolutionised the thought, manners and customs of the people! Religion was the channel of communication between one province and another. It was not any political organisation that held people together; it was rather the bond of a common aspiration and culture that made the Indians a nation. In India religion has never signified a mere creed or dogma;

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it has always fulfilled a much wider function. As a practical philosophy it moulded the daily life of the people, and as an ethical science it evolved a culture which had its roots in religious experience. A man's life was divided into four stages and he was expected to gather a diversity of experience through each stage until it attained a fulfilment, and final consummation of a mystic realisation of infinite life. Even when India dreamt of founding empires her imperialism was tinged deeply with her religious aspirations.

What do we see, now-a-days, in contrast to the picture of a rich civilization I have just drawn? We see villages decaying and dying out, we see their inhabitants suffering from malaria and consumption and from an ever-increasing child mortality. If all these evils are allowed to last and to increase, all our village life is condemned to disappear or degenerate for ever. Just as the health of the villagers is deteriorating, so their intellectual powers are decaying, while their extreme poverty prevents any growth of cultural life. The landlord has lost all interest in his village; he builds up his own home in a town; and town-life influences his own life as it threatens to do the life of the whole of India; and thus the landlord loses all contact with his villagers and with what still remains of the village life.

Our constant pre-occupation, for those of us who believe in the influence of rural life over India's future, ought to be to save what remains of the ancient tradition and to build on it something new and lasting, in harmony with our epoch. That is the problem which the future politicians and social reformers are faced with. The solution will be found neither by imitating nor by attempting to transplant bodily any of the systems that we consider to have been successful in the West. The future of India cannot be built on a political constitution drafted in London, Berlin or

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Leningrad. It must be the creation of genius, native to the soil of India, steeped in all the wisdom of our ancient culture, and yet linked to the spirit of progress which is the moving force of our modern civilization.

How exactly it is to be done cannot be laid down in a paper like this. Great things are proved only by being achieved, and we can only hope that a master-mind will show us the way by actually cutting it for us. Nor need we despair. For even in these days of bitter futility, the voices of men like Tagore and Gandhi have not failed in their call to the best and noblest in us, the one with his love of Beauty and his wide humanity, the other with his pity and his dauntless heroism. Between them they have combined the best that Indian genius has to offer to-day, and we must listen to their call, if at all we are to prove ourselves worthy of cherishing hopes for our country's future.

## VILLAGE RECONSTRUCTION

*By SHAREFAH HAMID ALI*

What is the idea that we have at the back of our minds when we talk of "Model Village," "Village reconstruction," "Village uplift," "Better living," "Agricultural bias Schools," "Revival of village industries," "Co-operative seed and Agricultural Societies," "Dai Training," and various other phases which have been repeated so often that they have almost lost their real significance?

It is not by merely doing one thing or the other, working at the betterment of one phase—one minute section of village life that we shall reach our goal. The very aim and centre of our effort should be to bring more happiness, more comfort, and open more avenues of interest into the lives of lakhs of our country men and women who live very drab, colourless lives indeed, at present. A life full of dirt, dire poverty, with not a gleam of hope or ambition for better living in the most insanitary conditions—no medical aid within their reach—is the lot of at least half the population of India to-day.

If we are to help them, we cannot go on telling them how stupid they have been not to cultivate their lands by modern methods—how extravagant and ignorant they are to fall into the hands of money-lenders—how foolish they are either to pollute or allow their drinking water to be infected, and so on endlessly.

Their sins of omission and commission are doubtless so numerous that we could go on teaching them for years what faults they have committed—but that is not

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the way to get any response out of them. We must study each question minutely ourselves, specializing in road-making, town-planning, sanitation and Hygiene, house building, seeds, agricultural implements, poultry dairy, cattle-breeding, food values, care of children, Maternity work and a hundred other subjects before we venture to advise or teach them. It is obvious that one person, however willing or intelligent, cannot, even after a lifetime of study, acquire proficiency in all these subjects. Therefore it is only through a group of people who are really national-minded and ready to give service and devote themselves to this task—that we shall ever get villages to become units of contentment and of real strength to the country. It is easy to approach the men and women of every village in India. There are no reserves of pride or insularity on their side. A person has only to be human and frank and without any notion of superiority of rank or wealth or intelligence and he or she is accepted at once as a friend and is welcome in every home. The privilege of living in villages and coming into close contact with our simple lovable people is given to very few of us. Yet with a little vision, it is within easy reach of every town-bred man and woman, who desires to partake in the exhilarating task of making each nook and corner of our beloved land beautiful and desirable to live in.

There are really two methods of approach. One is by collecting a good round sum of money, making a survey map of a given village site, planning of roads and straightening them and acquiring property which comes in the way,—building a school house, a model well, a playground, cleaning and repairing the houses, setting up a library, a dispensary or a medicine chest, a trained nurse or *dai*, and visiting and inspecting a certain number of days monthly—or weekly. This programme can be enlarged at will—if there is enough money available.

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The villagers themselves are passive on-lookers, and at the most, *allow* themselves to be trained to use the facilities provided for them. This method appeals to the majority of people who want to see definite results with their own eyes as quickly as possible, who are happy in looking at clean roads, clean houses newly white-washed, visiting the library and small maternity-home, and dispensary, a row of latrines, a good well, manure pits outside the village, and cowsheds well built, and a good-looking schoolhouse and a mosque or temple. If the visitor pays an unexpected visit, she or he feels less happy when—the roads are there and the houses are there—but not as clean as they might be, although a great improvement on the old rubbish heaps and fly and mosquito breeding spaces. But what about an empty maternity home—2 or 3 patients in the dispensary and a library which looks as if it was perpetually closed—whose key has been lost or broken? The schoolhouse is empty or almost empty as “the master’s father is sick.” Such things do happen in the world and disillusion us sadly.

In this way village improvement can be made only upto the limit of the funds available. If the village people themselves have not felt the necessity for these improvements, they will allow the houses, roads and wells to fall into disrepair and will make no effort to make the best use of the facilities—afforded to them. As it is a very expensive method, it can only benefit a few villages, only touch the very fringe of the question.

Let us consider the other method :—

Two or three members visit a village, make friends in each cottage, gather a group of thirty or forty of the most intelligent men and women, tell them of the immense benefit to be had by building a good road through their village and joining it up with the main road so that carts and motor buses can come right upto their door. The advantage of getting a good market

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for their produce appeals to them at once. There is no need to spend a few hundred or a few thousand rupees on these roads; the villagers, if their leader is intelligent—at once undertake to build road on a co-operative basis through their village, upto the limit of the next village, and so, in a short time, miles of roads are built. As the road now occupies the sites of their old filthy manure pits,—manure pits are put in their proper places, and are no longer an eye-sore. By judicious praise of the good points of each village—it may be a beautiful temple or mosque, it may be natural scenery, or it may be the healthy looking children, one can get the village people to understand that you are really a well-wisher who has come with the best intention of helping and not simply to criticise and find fault. If once their confidence is gained, the members of this group or committee can lead the others on gently—step by step, sanitation, care of water, better houses, modern latrines—bore hole or simple septic tanks—the use and need of literacy, sending children to school, building a model school-house, night classes for adults, classes for midwifery, poultry, co-operative societies, and any item on the programme, which is desired to be carried out.

It is a sound plan to teach the village people to combine and give all the labour required on a co-operative basis. A small sum of money may occasionally be given where it is urgently needed—but it is better to loan (without interest) the money, than to give it as a gift. It teaches the people more self-reliance. Even when the Government of a Province or a State gives large grants for village improvement—the people must give their share in labour—and undertake to keep the wells, houses, roads, etc., in good repair. If they work for it with the sweat of their brow, they will appreciate each amenity as it comes into existence, and feel it to be their very own worked for and paid for.

The women of the village must be enlisted. If

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their interest is not roused, and they do not co-operate, the village work will never be lasting. It will confine itself to agricultural societies, seed farms, dispensaries used mostly by men, school and library used by men and boys, and will leave the inside of the houses untouched. For health, sanitation, food, thrift societies, doing away with evil social customs, the women are the real wielders of power. If they are not mobilised, then the whole structure will collapse like a house of cards as soon as the guiding, leading or restraining agency is removed. The second method depicted is very much more difficult than the first method, but it has also much greater and more lasting effect. It can be widened to a limitless extent. If the proper psychological guidance is given, the village improvement will expand of its own accord.

The men and women will do the thinking and planning for themselves, which is much the sounder method. Attention should not only be paid to utility, but I also plead for beauty, for artistic development, for teaching of morals and piety. It is not necessary to thrust one's own personal religion down the throat of people who belong to a different religion, to achieve spiritual and ethical contacts. There is far more that is common to all religions than most people with biased minds are willing to admit. The foundation and the principles of all religions are the same, so that without preaching Hinduism, or Islam or Christianity or Budhism one can get into intimate contact with our simple, but extraordinarily religious-minded people, and be the means of strengthening their belief in the reality and goodness of the Creator, as well as giving them guidance for tolerance—and the true spirit of brotherhood of man.

How quickly they respond to all that is unfolded before their eyes; their love of flowers, their love and pride in animals. Also their great desire to implement

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their income if only by a few pies is easily roused, and not difficult to sustain. I plead also for a better understanding of the life of village women. We cannot, unless we are heartless and cruel, impose more burden of labour upon her. It is not right that a woman who is married and a mother by the age of sixteen, and has, as a rule between 10 or 12 pregnancies to survive at the hands of a wholly untrained *dai*, should be made to undertake more physical labour than she does at present. A woman with a child at her breast and a toddler hanging on to her *sari*, with 2 or 3 more children between the ages of 12 and 4 gets up at 3 o'clock in the morning to grind corn. Then she fetches the water in heavy jars, from the well or river-bed. She looks after and cleans the cowsheds, feeds the animals, cooks the food for the men and children, washes and cares for the children, takes the food out to the fields, washes the clothes, again prepares for the coming home, and feeding of the husband and children. She also nurses and cares for the sick children at night, occasionally getting a good night's rest, but as a rule not sleeping more than 3 to 4 hours at night. Is this a human being or a beast of burden? No wonder she ages quickly and dies young. In every village improvement scheme, the lessening of the burden from the shoulders of the woman should be a first consideration. It is not difficult to arrange for community bullock carts, for fetching water from river-beds, (if far away) or laying down pipes, and bringing the water upto the street. This will probably add a few more years of life to the child-bearing woman.

The grinding of corn is also extremely hard labour and deprives every village woman of her legitimate hours of sleep. A community mill either worked by oxen (as in the Punjab) or a water-mill (where running water is available), as is the practice of the North-West Frontier Provinces, could easily be arranged for, if the

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elders of the village understood and cared for the comfort and health of their womankind. The Economic question is of course of primary importance. Consolidating of holdings and fewer divisions of land is looked up to as the ideal for each village zamindar and when we talk of women's inheritance, "the evil of greater divisions of land" is at once thrown at our heads. The poor disinherited "women must stand aside for the good of the community" is dinned into our ears.

Why not live in such a way that only 2 or 3 divisions will be necessary, later on, irrespective of the sex of the children? We can teach the villagers to think of these things for themselves, and let them come to their own conclusion. It is an acknowledged fact, that once the women realise the importance of spacing and limiting their families, a force is let loose in the world nothing can impede or turn back. Instead of bearing ten children, out of which only 3 survive, if the women could be made to understand the advantage of endeavouring to space their children, our economic troubles would be diminished in a remarkable manner. For a generation or two we shall have to work for this end, steadily and patiently, afterwards things will adjust themselves; as it is a fact that women bear fewer children when life is easier. Poverty breeds children and a larger number of children breed poverty. So we go on and on in a vicious circle. Raising the age of marriage will also help to ease the situation. Every effort we make for introducing new industries in villages—which bring more food into the mouths of hungry or ill-fed children, is, in itself, a great gain. The population will not increase so fast when there is no hunger in villages. When the village people realise the value of making their own villages, or groups of villages, absolutely self-contained, and strive to produce food and cloth and other necessary articles of life, have their

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own carpenters and masons and house builders, and plan to better their economical and social conditions, getting away from the clutches of the money-lenders, it will be a proud and happy day for India. Most of our villages have something of historical interest—a building, or a monument, or a site, association with some great man, or woman. Up to now all these factors for rousing pride and ambition, for making that particular village a model village have been lost sight of. No psychological attempt to approach the villagers' mind has been made. Only by rousing a passion for improvement, economical, scholastic or æsthetic, in the minds of the men and women we deal with, shall we be able to achieve our end.



# **TRAFFIC IN WOMEN & CHILDREN**



## TRAFFIC IN WOMEN AND CHILDREN

*By LAKSHMI NANDAN MENON*

The suppression of traffic in women and children is a national as well as an international question. Although we are interested only in the national aspect, I shall first, for the sake of clarity, try and give a brief account of the efforts of international organisations to deal with this all-important social problem. The question was brought to the focus of international consciousness when the First International Federation for the Abolition of State Regulation of Vice was held in 1875. The world owes a deep debt of gratitude to Josephine Butler of England for the awakening of public opinion in this matter and to Mr. Stead for his article on the "Maiden tribute to Modern Babylon" which exposed one of the facile methods by which legislation can be rendered ineffective. For centuries Prostitution was regarded as a social institution and there was the system of regulation or police supervision of the prostitutes by which a woman is fettered fast and irrevocably to prostitution and treated as a mere commodity. Thanks to Josephine Butler, regulation is abolished in some countries in Europe; but nowhere is the abolition complete. International conferences are frequently held and the following measures were adopted from time to time but they have never been helpful in abolishing the evil. These measures were :

1. Raising the Age of Consent;
2. Protection of the unmarried mother;
3. Protection of children and those who are exposed to dangers.

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4. Education and Instruction.
5. Juvenile welfare work, rescue homes, and care committees.

That none of these measures helped to solve the problem is evident from the fact that the evil exists as before, eluding almost all the methods mentioned above. These international conferences sponsored by persons of eminence either did not understand or did not want to understand the real cause of the trouble. What they actually did is better told by the inimitable pen of Lenin himself. Writing in the first issue of the "Rabochaya Pravda" in 1913, he said: "A short time ago the Fifth International Conference against the Traffic in Women and Children was held in London. There the Duchesses, Countesses, Bishops, clergymen, rabbis and police officers ran riot. What a number of banquets were held and what magnificent official receptions! What a number of solemn speeches on the harmfulness and wickedness of prostitution! But what are the means proposed by the elegant *bourgeois* delegates to combat it? Principally two: religion and the police. A lady from Canada spoke enthusiastically in favour of the police and police supervision of fallen women. But when the question of the possibility of higher wages was raised, she expressed the opinion that women workers were not worth the higher pay. And when the Austrian delegate, Gartner, tried to deal with the question from the point of view of the social causes of prostitution, the poverty and the wretched circumstances of working class families, the exploitation of child labour and the intolerable conditions, etc., he was reduced to silence by hostile exclamations." No comment is necessary.

In 1921 the League Conference met and created a permanent Advisory Commission for the protection and welfare of children and young people. The Fifth Committee of the 1933 Assembly considered the terms

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of the Protocol drafted by the French Government punishing traffic in women for immoral purposes. The Protocol was changed into a Convention whose article No. 1 reads as follows:—"Whoever in order to gratify the passions of another person has procured, enticed, or led away even with her consent a woman or girl of full age for immoral purposes to be carried out in another country shall be punished, notwithstanding that the various acts constituting the offence may have been committed in different countries. Attempted offences within legal limits, acts preparatory to the offences in question, shall also be punished. The term 'country' includes the colonies and protectorates of the High Contracting Party concerned as well as territories under his suzerainty and territories for which a mandate has been entrusted to him." The article was accepted by almost all the member countries. Two League Commissions were also appointed to enquire into the traffic in women and children in the East and in the European and American countries. Both these Commissions are unanimous in recommending the abolition of licensed brothels in the countries concerned as the most effective remedy against the evil. According to the latter Commission: "the existence of licensed houses is undoubtedly an incentive to traffic in women and children." Regarding the attempts of the League, one cannot but help recalling what M. Albert Londres said: "The League wants to establish the reign of virtue upon earth which it expects to do by cleaning the front of the building and keeping the dirt inside."

### *The Problem:*

A historical account of the social institution of prostitution will be unnecessarily lengthy, and of no immediate purpose to us. Yet it is significant that in the early civilizations, when woman was free and economically independent, traffic in women was unknown.

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Sexual promiscuity was limited by certain conventions more for the convenience of fixing paternity than for the regulation of what might be conventionally called a moral life, marriage or sexual relation was not regarded as a means of securing a life of ease and comfort, traffic in women in such a social economy was unheard of. Traffic in women is necessarily the answer to the demand created by leisured classes, civilised life, late marriages and rigid laws and conventions which make the tie of matrimony an indissoluble one. The existence of a class of people who do not have to work for their living but have enough of accumulated wealth to spend on their fancies created another dependent class of women who could get their maintenance in comfort not by the sweat of their brow, but by merely selling their body to anyone who is willing to pay for it. But the ancients never regarded it with abhorrence, but as the necessary concomitant of civilized life. We are told that both in China and Japan, where filial devotion is enjoined by the great teachers, young girls often go into prostitution to relieve family need or to earn their own dowry and when they have earned enough, come back to normal life. In India there are still people who view it with a good deal of irrational tolerance which is sadly absent in other social matters. In Europe, too, the present attitude towards the problem is a modern one and the interest is keen really because of the growing menace of venereal diseases carried from country to country by means of prostitution.

Let us try to understand the circumstances which are responsible for our attitude towards the whole question. If we could for the time being disabuse our minds of certain traditional ideas regarding the sanctity of the matrimonial tie, we are bound to agree with certain extremists that all marriages are a kind of prostitution, some permanent, namely, the so-called happy marriages,

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which are never dissolved either because of the amiability of the parties or because of the tightening of the marriage laws, and some temporary. Let us not forget that till very recently, even in European countries, wives were regarded as the property of the husbands. It is said that in modern advanced society, "although no price is paid for the bride, the common ideal of woman is a marriage in which she received her support, in luxury if possible, without labour, as the price of her sexual features." Let us also remember that until her emancipation woman had only two vocations open to her, both involving her sale or rental by male owners. Hence the entire idea of the infringement of the chastity of woman as grossly immoral is a novel attitude of mind. Voltaire was in no playful mood when he said that "the development of the idea of female chastity is man's greatest invention."

If it is so, the question may still be asked why the traffic in women and children is considered immoral. It is immoral because it belongs to the same category of social evil as slavery. Buying and selling human beings for labour although inhuman was not regarded immoral, because the purpose for which slaves were employed was regarded quite moral. Moreover, there was no secrecy attached to the transaction although the same amount of seduction was used and third party profit acknowledged. Yet traffic in women and children is one of the vilest forms of slavery and the worst form of exploiting the weak, the ignorant, and the helpless by an organised gang of traffickers. Its extreme secrecy makes it almost impossible to expose the organisers, and the degradation, physical, mental and moral that follows the woman after she is forced to sell herself makes it absolutely difficult for her to secure her release, or in the absence of organised state help, to return to normal healthy life.

Let us now examine some of the social causes that

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are responsible for this evil. "The foundation of prostitution," says M. Londres, "is Hunger. Never forget that for a moment. If hunger did not exist there would still of course be women for sale as long as there are men to buy them; only the number of prostitutes would be less than 80 %. There would be left only those who are willing and not those who must. It is absurd that traffickers are solely responsible for the traffic in women and children. It is the tragedy of women who are illiterate, unfortunate and poor. The procurer creates nothing; he only exploits what he finds; he only sells goods which come out of the mighty factory, Poverty."

That poverty is the prime cause is further shown by the enquiries made by the League of Nations from time to time in different countries. Enquiry in Finland showed that of those who came for medical treatment over 50 per cent. of cases were uneducated poor servants who came from the country. An answer to the questionnaire issued by the Madras Vigilance Association, given in the proceedings of the Madras Regional Conference, says that the profession of prostitution is carried in most cases for the sake of livelihood. The same thing is stated in the Declaration of the Rights of the Working and Exploited People issued by the Soviet Republic. "The fact that a woman has no work and no one to care for her is the fundamental cause of prostitution." An enquiry conducted recently in Germany brought out that women engage in prostitution mostly because of affection for a man who out of greed or necessity pushes the woman into prostitution. Statistics in Russia and elsewhere prove that 80 % of women in the profession who are normal would never have been so exploited but for their poverty. The following picture drawn by Princess Radzivil describes the long train of victims. Dealing with the traffic she says: "Hundred of girls and women, some of them very young, are transported each year from

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country to country for purposes of prostitution. You will find amongst these unfortunate women the regular prostitute who goes abroad to better her fortune, but may as a result find herself helpless and at the mercy of any one who wishes to exploit her in a country whose customs and languages she does not know. You will find girls usually minors who have been led astray by love of finery which they cannot afford or by love of adventure; they easily fall victims to unscrupulous men who take them abroad as their mistresses and then compel them to engage in prostitution to provide for their pleasures and comforts. You will find innocent and uneducated girls taken from poor surroundings and ignorant parents who have been deceived by what we call *souteneurs* into contracting fictitious marriages... You will meet girls who join travelling troupes dreaming of a world reputation and end in .....prostitution.”

In India there are other contributory causes besides poverty.

i. There are parts of India where girls are sold or dedicated to temples. There are communities whose profession is prostitution. The former are called the Devadasis or servants of gods. They are not poor but quite well-to-do. They are really the followers of a very bad tradition without being quite aware of what it means. Most of these families are reputed for their culture, scholarship in music and dancing. For centuries music and dancing were the special preserve of these; for whenever they are attached to the temples they had to sing and dance before the idol. They are not led into it by economic causes; therefore the way to deal with them also must be quite different.

Not the least important of the other causes of prostitution in India is our attitude towards girls. Girl children are a nuisance in a society in which their education is a matter of deliberate neglect and their marriage a huge drain even on the resources of well-

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to-do parents. They are also a spiritual drag on their parent. The daughter or daughter's daughters can never bring the necessary salvation to the parent after death. And in a country where thoughts of the hereafter dominate the present, salvation is a consideration indeed. In the old days the unwanted girl children were thrown into the Ganges or exposed to the mountain side. Now infanticide is a crime punishable at law while there is nothing in the law to protect them and train them for a useful purpose.

2. The arranged marriage and the unhappy days that follow in the mother-in-law's home have made many a girl to put an end to her life or fall a victim to the persuasions of the trafficker.

3. The child widow who grows up and falls into temptation once, fearing the opprobrium of society, casts herself adrift in an evil world and soon descends to the depths of degradation.

4. The deplorable position of the Hindu widow in law and the absence of property rights and liberal divorce laws make the woman's life more miserable than of those in abject poverty. And one of the well-known methods of trafficking is to run Widows' Homes, Abalashrams and Mahilashrams. These are indeed rescue homes run by interested men who rescue women from unjust social laws and exploit them for their own purposes.

5. In industrial centres the growth of prostitution is attributed to bad housing conditions. According to the census of 1931, in Calcutta for every 1000 males there are 475 females, and in Bombay 553. Inequality of sexes is a characteristic feature of our big cities and industrial centres. The Royal Commission on Labour commenting on this says: "This inequality gives rise to a number of grave social problems. In the first place, it leads to an increase of prostitution and a subsequent spread of venereal diseases, first in the city, and later to the village

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with the return of migratory worker to his home. In the second place, the effect on home life is disastrous since a premium is put upon the formation of irregular unions. The very knowledge of this too often completes the vicious circle, many men hesitating to bring their wives into the industrial cities where the atmosphere is so alien to that of the village with its code of moral restraints. We believe that every effort should be made to overcome these difficulties and bring about a healthier sex proportion in the industrial cities. One of the most important factors affecting this problem is the housing conditions in those areas.”

### *Some of the measures suggested:*

The Madras Regional Conference on Social Hygiene which was opened on the 11th of November, 1935, passed a number of resolutions containing suggestions. They are as follows :—

1. Financial support from the public for rescue work.
2. Training of women workers.
3. Establishment of rescue homes and the provision of stipends for adult women.
4. Penalisation of third party profits.
5. Propaganda regarding the seriousness of the injury to public health.
6. Establishment of special clinics for the treatment of venereal diseases.
7. Provision of facilities for recreation and physical culture for children, adolescents and workers.
8. Propaganda.
9. Control of cinema films.

And not a word about providing work for the workless, increasing the wages, extending the facilities for girls' education, and not a word either about changing those unjust laws and horrible social customs which drive many an innocent woman to vice in India. Is it a

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wonder then that the only effect of legislation has been the increase of clandestine prostitution? I am afraid we are trying to hide the dirt in our anxiety to keep the front door clean! Is it not also amazing that so far no systematic study has been undertaken for an All-India survey of the problem or for the collection of statistics for the whole of India?

### *Conditions in India:*

The percentage of the total provincial budget spent on education in the different provinces tells its own sad tale. As for the provision for the treatment of venereal diseases in many provinces, there are no special clinics. Infant and maternity welfare work seem still not adequately organised to meet all the demand. In many places commercial prostitution exists and third party profit is legal. Where legislation is more satisfactory there are not adequate provisions for Rescue Homes or training for the women rescued. The provincial figures may be studied with advantage.

1. *Ajmer-Merwara:* There is no provision for infant welfare or V. D. clinics.
2. *Assam:* There is no special treatment centre for V. D. Information about prostitution and rescue work is not available.
3. *Baluchistan:* There is one infant welfare centre worked under voluntary auspices. No welfare work is subsidised by the Government. Commercial prostitution exists; there is no rescue home and no preventive work is done. Third party profit is not illegal. Brothels are controlled and examined.
4. *Bengal:* There are seven infant welfare centres run by the municipalities. Only Calcutta receives financial assistance from Government. Commercialised prostitution exists. There is one rescue home. Third party pro-

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- fit from commercialised vice is illegal. There is no provision for women police or probation officers.
5. *Bihar and Orissa:* Figures for Child Welfare, V. D. and prostitution are not available.
  6. *Bombay:* There are seven infant welfare centres run in Bombay by the Infant Welfare Society which is assisted by the Government. V. D. is dealt with at these centres. There are four Government special treatment centres for V. D. A large number of clinics are maintained by local authorities. Commercialised prostitution exists. Prevention and rescue work are done by the following agencies: The Salvation Army, the League of Mercy, the Bombay Vigilance Association, the Social Purity League, the Bombay Presidency Women's Council for Indian Women, and the Shraddanand Ashram for Hindu women at Dadar. All third party profit from commercialised vice is illegal.
  7. *C. P. and Berar:* There are 34 infant welfare centres and 6 Creche centres run at Government expense and one special centre for the treatment of V. D.
  8. *Delhi:* Twenty-four maternity and child welfare centres.
  9. *Madras:* One hundred and thirty-nine centres for child welfare. Centres outside the city fell from 127 in 1931 to 118 in 1932 owing to financial stringency! There are 13 special treatment centres for V. D., follow-up work is done in the case of expectant mothers. Commercialised prostitution exists. There is one rescue home. It is not the policy of Government to maintain or subsidise rescue homes. The Madras Sup-

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- pression of Immoral Traffic Act provides the machinery, but it is left for philanthropic bodies to make it workable. Third party profit from commercialised vice including brothel keeping is illegal under the Act.
- 10. *N.W.F.P.:* There is one infant welfare centre where V.D. is also treated. Commercialised prostitution exists, but there is no rescue home or preventive work.
  - 11. *Punjab:* There is one infant welfare centre run at Government expense and one special treatment centre at Lahore. Commercialised prostitution exists; there are agencies for prevention or rescue work. Third party profit is not illegal.
  - 12. *U.P.:* There are 125 infant and ante-natal centres. More than 50% of the expenditure is contributed by the Government. Commercialised prostitution exists, but third party profit is illegal.
  - 13. *Baroda:* Four baby clinics and 2 maternity homes.
  - 14. *Bhopal:* Figures not available.
  - 15. *Bikaner:* Figures not available.
  - 16. *Jaipur:* No child welfare centres.
  - 17. *Jodhpur:* Two child welfare centres.
  - 18. *Mysore:* There are 13 welfare centres and 2 V.D. treatment centres. One rescue home is run by the Social Hygiene Association in Bangalore. Third party profit is not illegal.
  - 19. *Travancore:* There are 8 child welfare centres run at State expense. The picture is not very encouraging notwithstanding a few bright patches.

We talk enthusiastically about the protection of women and children and the exploitation of the weaker sex; but changes such as we need call for something

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more than enthusiasm. The League of Nations, the International Conference, Commissions of Enquiry may inform the public in the best pulpit manner what ought and what ought not to be done and expound both good and evil. They will describe what they have seen and what you may see for yourself. The scandal is not that the evil exists but that it can be seen. But the evil will continue to exist as long as women are not educated to stand on their own legs and social laws are not revised to give them a generous status in life. Eighty per cent. of the women who are so victimised are the "unfortunate." When a girl is hardly 14 and married to a man over whose selection she had no voice and who is forced to live with him because social laws are too rigid, she is really unfortunate. When a girl is a widow before she knows she was married and treated as a nuisance, dependent and useless, and remarriage is forbidden by strong social opinion, and when there is no provision for her training, she is unfortunate. The really vicious are those that are either mentally defective or born in surroundings where they had no chance to understand that a grown-up girl can earn her living by other means.

### *Methods of combating the evil:*

Legislation such as it exists in India is not able to do much. As we have seen in many provinces commercialised vice not only exist, but even third party profits are not illegal. Abolition of brothels even if possible will not be effective unless the women turned out of these places could be trained to some useful work and absorbed into normal life. This would mean a network of organisations subsidised and financed by the State and a regular campaign of war against the evil itself. At present, the policy of the government and the people is one of sympathetic indifference. The organisation of rescue work is entirely left to private enterprise.

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Voluntary effort is an admirable thing, but it will never solve a social evil of the scale that exists in this country.

Our attitude towards marriage is another thing which needs change. In the west, the happy change has been brought about by the changes in the economic status and education of women. There is the increasing economic independence of women has initiated a revolution in the marriage system which is now that of selection and not that of economic compensation. And the result is that a single standard of sexual chastity is being substituted for the ancient double standard.

Again better laws for the protection of unmarried mothers and better divorce laws are still more necessary. Morality is not and cannot be secured by terrorism and its surest safeguard is the treatment of women as adult human beings and equals of men.

In this connection the lesson from Russia may be invaluable to us. I can only indicate in brief outline how Soviet Russia is trying to solve the problem. It is the avowed policy of the Russian Government to eradicate this grave evil from the republics. The measures adopted may be classified under three groups: (1) Preventive, (2) Prohibitory and (3) Prophylactic.

i. Preventive measures include the following :—

- (a) When staffs are reduced, great caution is taken in the dismissal of women who are least provided for and incapable of economic resistance.
- (b) Productive co-operatives capable of employing certain groups of workless and untrained women are organised to absorb women who are workless and untrained.
- (c) Facilities are given to improve the trade qualifications among women by reserving a sufficient number of free places in the trade schools.

## TRAFFIC IN WOMEN AND CHILDREN

- (d) Establishment of homes for unemployed women and children to prevent destitution among women.
- (e) Widening of the field of propaganda and education in order to enlighten the workers about the nature of prostitution and to teach them how inadmissible and shameful it is, and to instruct them about the dangers resulting from it.

2. Prohibitory measures include stricter administrative supervision of all those places where the workers may be tempted to licentiousness and women to prostitution; vigorous measures against abettors and procurers; free treatment for those suffering from V. D. It is laid down in clear terms that under no circumstances should a war against prostitution degenerate into a war against prostitutes. Adequate changes are also made in the criminal law by which infection of V. D. by anyone, rape, procuring, exploitation of dependents for immoral purposes, are all made crimes punishable with imprisonment for a period not less than three years.

3. Prophylactic methods are even more effective. There are what are called prophylactaria, that is, work-rooms attached to a home and a medical department in which the diseased, workless and untrained are received medically treated, kept at work and re-educated in a proletarian spirit.

At the end of the treatment the pupils are placed in factories in order to introduce them into working life. The essential characteristic of this institution is that a spiritual and mental regeneration proceeds side by side with the medical and psychological treatment.

The Soviet code aims at abolishing the evil by the far-reaching protection of women labour, the prohibition to discharge single women with children, the equal treatment of illegitimate children, and the provision of countless institutions for destitute and solitary women.

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And co-education in schools, systematic training as workers, comradeship and social responsibility together with the new sex code produce such a totally different type of youth and wholly new relations between the sexes that these too help to do away with prostitution. For as soon as the demand ceases for the venal love which the new ethical code stigmatises as vile, the supply vanishes.

Here then we have one of the really successful attempts made by a State which feels the responsibility of social guardianship. We need hardly remind ourselves of the entire futility of our feeble attempt at legislative enactments to solve this problem. As long as unequal laws affect the rights of women, as long as their education is a matter for postponement to better times, as long as we are satisfied with the present condition and do not think it necessary to do anything to reform something which goes by the unhappy name of "the most ancient profession in the world," any legislation which at the same time does not educate the community to social sense is futile. In fact, the apathy, the inertia, and the ignorance of the public regarding its duties in this matter are even more regrettable than the apathy, the inertia and the ignorance of these unfortunate women themselves regarding their rights.



## **SOCIAL EVILS**



## PURDAH

*By HILLA RUSTOMJI*

The first point that occurs to a non-purdah woman, as the very word ‘purdah’ is mentioned, is to exclaim, “Oh God!, how long is this imprisonment of my sisters to last?”

Women all over the world are known to be long-suffering, patient creatures, but no women are more so than in India. The evil customs that bind us are numerous, but purdah is the worst of all, affecting as it does, not only women of the present, but future generations of both sexes.

Living in Hyderabad, I realize more than ever that the lot of women of the middle class, which really forms the backbone of the population, is most pitiable. The well-to-do has cars or carriages and houses with a yard or a garden. But what about the poor living in crowded towns? Imagine the life of a woman confined to a couple of poky rooms, with the temperature rising to  $114^{\circ}$  in the day for a part of the year, with no chance of fresh air day in and day out, or any change in the dark and dreary existence throughout the year. I need not dilate on the ill effects of this system of unhygienic life on the health of the mothers; they are well known, and figures in every health report show how women, particularly those that are young, are the greatest sufferers. Tuberculosis is increasing by leaps and bounds.

Purdah is one of the main causes of the present deplorable conditions in India. How?

(1) You cage women to the extent that you do not cage wild animals. They are allowed no freedom

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to move about, and this kind of imprisonment produces an inferiority complex amounting almost to slave mentality. Women so brought up are apt to be timid, nervous and always dependent on some one—down to a boy of seven.

(2) This slave mentality is communicated by heredity or environment to the children, and it is gradually becoming a trait in the Indian character.

(3) The mother living in such unhealthy conditions would naturally breed a race lacking stamina, if it was not for the large admixture of people nurtured in open air in villages.

(4) The system is uneconomic, since, even among the poor, only one member of the family is the bread-winner, regardless of distress, or the ability of a woman to supplement the income of the family.

It is an historical fact that, in the very early days, there was no purdah; women went about freely and did their share of work. The women of Abyssinia are showing us Indians (a nation whose civilization is considered one of the highest in the world) what womanhood really means. Purdah came in with the series of invasions of the country and insecurity of person and property, and partly because women fell from their High ideals and became the pampered playthings of men. Naturally, the men shut them up and took care of their precious toys. After that, a false sense of respectability became attached to purdah. This idea has grown to such an extent that even a poor man feels that he and his family would not be considered respectable, if his wife had to fetch water from a tap outside his door. The effect of habitually hiding respectable women of his own class on a man need not be described, while the good influence that women can exert is lost.

Some of the greatest friends of Indian women feel that equality of status can only come when women attain economic independence. But how can a woman

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secure this, when she is shut up in her house and has to work only for the one man she lives with? In the present condition of India, dowers and dowries should both be abolished from a marriage transaction. Marriage the holiest of all ties, has become a business transaction at present. From the lowest to the highest, the first question put is, what will the bride's people or the bridegroom give?

I have said enough about the ills of purdah. The question arises, will the present economic pressure force people to give up purdah? I think not, since habits and customs have acquired the sanctity of religion with Indians. Widespread education is the only thing that will remove purdah. Things are changing, but very slowly, and in this as in all matters of social reform, it is necessary that men and women should work together, and carry on an intensive propaganda for compulsory education and the abolition of this custom. No zenana schools and closed bundies should carry girls backwards and forwards. I appeal to my non-purdah sisters and brothers, especially to the progressive members of the Moslem League and Moslem Conference, to take up this constructive work, secure the co-operation of non-purdah Moslem ladies, and I am sure non-purdah women of other communities would be most willing to help. I have often heard it said that women in purdah themselves do not want to come out, but my enquiries show that this is not the case with the bulk of purdah women, and where it is true, the reason is timidity and the force of custom and habit. You hardly ever find a woman, once free willing to go into purdah again. Circumstances often force them when they come home again, but purdah is resumed reluctantly. There is an awakening, and I myself have seen many changes in the last few years; only as I have said, progress is very slow, and it has to be stimulated.

To begin with, let there be only such purdah as

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is ordained by Islam. No other Moslem country in the world observes purdah as India does. Let a woman go about decently clad, but with her face uncovered; let her widen her horizon and her mind, so that she may be able to serve her country.

It is the duty of the younger generation, specially, to help their sisters and stand by them. They have their life before them and the shaping of the welfare of this country. Nothing in the way of freedom can be given: we have to strive for it and get it. Girls should educate themselves with such extra curricular subjects, as girl guiding, which will help to form character, to be brave and self-reliant.

## SECLUSION OF WOMEN

*By ATTIA HABIBULLAH*

Among the major issues which have to be faced during India's transition from medieval to modern conditions is the problem of purdah, which has always been the subject of bitter controversy, sanctified as it is by religion and hallowed by custom. Though purdah has always been treated as a social problem, it cannot be considered apart from the political and economic problems with which it is inter-connected. No political institutions can prosper which are foreign in nature to the general structure of a country's social institutions, which in turn are given their general shape by economic conditions.

Among hunters and warriors or amongst a nomadic people who led a precarious existence, women became important only as a means of production of more males and as providers of their comforts. They became goods to be jealously guarded from robbers. Later, feudal society in the East with its despotic rulers and recognition of polygamy and even concubinage called for a safeguarding of women by some form or another of seclusion. In India constant invasions made this seclusion eventually take the rigid form of purdah as we know it to-day.

Even to-day men remain strongholds of medievalism where no woman can consider herself safe from the fancies of the despot. In a state of society where the rule of law is recognised the need does not arise for such artificial means of safeguarding them. The will of the people developed by the spirit of the time in relation

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to social development forms the best moral defence.

The socio-religious tenets of Islam, by which purdah is religiously justified, were based on problems of medieval society. However, as moral rules are always interpreted according to the spirit of the times, numerous and contradictory are the interpretations by various people of the same injunction from the same book. In its most extreme form purdah is taken to mean an absolute segregation of the sexes and the complete seclusion of women from all men except those whom religious law makes it impossible for them to marry. Some interpreters allow women, if completely covered, to move out of the zenana; others allow the exposure of the face, hand and feet. The interpretations in fact vary in proportion to the capability of men to resist temptation; they are a measure of men's moral strength!

That ultimately economics determined the extent and even the existence of purdah is proved by the fact that wherever economic necessity made women as economically productive as men they could not be secluded. Purdah, however, developed in spite of such women; the working classes did not form an influential enough community.

The recognition of purdah in a feudal state can be understood. Women were not considered part of the body politic—neither were the masses of the people given any importance. But in a state which professes democracy purdah is an anachronism. It implies the denial of rights and liberty to a large section of the people. The modern state is composed of citizens, not two sexes with divergent interests.

Purdah has been the greatest hindrance to the political development of Indian women. Under the new constitution they have been given a greater degree of political rights than they enjoy at present. Those rights can be of no value while conditions exist which have divorced women from politics and left them with little

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knowledge of their rights and duties as citizens. Moreover merely having the right to vote does not constitute the sum and substance of political rights. The value of the vote lies in the power to use it as an unhindered expression of free and independent thought. Democracy demands a political education which purdah women are denied. It is chiefly purdah which has prevented all but a few pioneers among women from representing their interests and taking their place in legislatures and other political organisations.

The administrative problems raised in relation to the exercising of the vote by purdah women and in identifying them, involve a waste of time and money. Attention being diverted to all these relatively minor problems aggravates the tendencies already present towards narrowing political vision and making politics merely local and personal. Nothing could be more unwelcome in the world as it is to-day; modern inventions and means of communication have so linked it together that apparently minor issues often assume world-wide significance. Political creeds of to-day therefore have an international outlook and seek to remould the whole structure of society.

The recent political awakening among women has done much to weaken the forces of purdah. The salient feature of the non-co-operation movement was that a large number of women left the seclusion of their homes to fight side by side with their men. They showed the force that women can be in modern political movements.

Economically, purdah has been responsible to a large extent for the low standard of living in India, for it has made a large section of the people unproductive and a burden on the productive section. Apart from the very poor working class women who do not observe purdah, women cannot earn their own living except as domestic servants, sempstresses and teachers. These fields of activity not being limitless the unemployed

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remain as economic drags on their families. The upper class women, too well born to work, have no choice but to be such economic drags until conveniently disposed of in marriage.

Those who oppose free economic competition among men and women point to the reaction to it in some countries of the West. Apart from the fact that in India for some time to come the problem cannot become so acute because the spheres of employment of men and women generally do not conflict, even in the West competition lost its free nature because of the difference in the scale of wages which encouraged antagonism between men and women workers. This economic antagonism has been expressed by age old sentimental platitudes about women's place being in the home. Fascist Italy and Nazi Germany actually started the drive of women "back to their homes". But the problem of unemployment still remains unsolved; it makes little difference whether women are unemployed or men. Moreover Italy and Germany cannot be taken as examples of nations facing modern problems rationally. Their need is the same as the primary need of the early hunters—for more and more "war material" to be provided by women.

The influence of economic conditions on the practice of purdah has exposed its worst features. The rich can afford the luxury of light and fresh air while comfortably preserving their modesty. But what of the masses of the poor who live in their miserable hovels? What of those poor wretches who live in the congested rabbit warrens that constitute the Indian cities? It is on them that the burden falls of trying to preserve their honour by copying the rich in secluding themselves. Life is not the same for all classes and economic conditions temper even morality.

Purdah having deprived women of any significance in political and economic spheres left them with form of

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importance only in the home. Even here, however, woman's economic dependence on man and the Oriental ideology which makes man superior to woman, make it impossible for women to realise themselves as individuals. Brought up from childhood to believe that they are important only in relation to men as daughters, wives and mothers, they have to fashion themselves on a pattern most likely to please men and give them the greatest value in the marriage market. And marriage cannot be a matter of choice but a necessary evil. Believers in purdah must necessarily believe that sex is evil and relationships arising out of it are shameful. Therefore no respectable man or woman may voluntarily express a wish to marry nor after marriage talk of it and of the children born of its sin.

Illogically enough this shameful, sinful alliance is praised in platitudes about love for one's mate and family!

Human instincts cannot be denied. Forceable repression for women has meant mental and physical disease, lack of discipline and rational care in the upbringing of children, lack of harmony and beauty in the home, which has become the stronghold of convention and orthodoxy.

Men, with their economic power, found a means of escape. They divided women into two categories. Their wives, mothers, daughters, they forced to be guardians of morality at the expense of another class of women who exist only for men's pleasure. It is a strange comment on purdah society that the cultural standards of its men should be gauged from the culture of its prostitutes.

To justify this denial of all ethics, morality and justice a dual code of morality has been evolved which regards as something "honourable or at worst a slight blemish to be easily tolerated" in a man what in a woman is a deadly crime involving legal punishment and social ostracism. After all men have no "consequences" to fear and the world considers a sin is a sin only when it is

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found out.

It is in this false system of morality, conveniently upheld by men that purdah finds its greatest support and herein lies its weakness. Morality cannot exist by falsehoods and through negative beliefs. It must be born of positive convictions. The only external safeguards should be material so that the existence may be made possible of "a generation of men who never in their life chanced to buy a woman's surrender for money or any other social instrument of power; and a generation of women who have never happened to give themselves to a man for any consideration other than love".

Whatever the reasons for the existence of purdah, however strengthened by religion and custom it may be, the question arises whether it can continue to exist in any form whatsoever. It has not justified its existence by solving moral problems; and it has retarded all material progress. It is true that where it does not exist individuals have touched the depths of low morality, but freedom has made it possible for others to reach heights not possible but for the exceptional few under a system of repression.

The civilized world has condemned purdah and tendencies within the country are against it. In the present world no country can isolate itself and its ideas.

The minds of Indian men have been more open to the influence of world movements than those of women, and they are the indirect cause of the liberation of women. As long as women are dependent on men whether in the West or in the East they must continue to live up to men's standards. Modern men are not satisfied with wives who are only acquiescent slaves of their desire and mechanical producers of their "legitimate" children. Women are therefore being given a more liberal education to make them better wives, combining attraction with docility, and incidentally better mothers. Some brave spirits have dared to imbibe the true

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spirit of education, to develop individual worth, to organise and to preach true equality.

Weakened by these external attacks purdah finds even its moral force weakening. Sometimes love of position in the new society being formed on Western lines draws away its staunchest supporters. Others, not loving its virtues but fearing its upholders observe it only in places and among people where criticism can be bitter.

Between the two stages in social development from purdah to freedom lies the stage of inconsistency. Here all problems are intensified because to the initial ethical struggle is added the struggle of adjustment between the old and the new. Men and women, products of the old conditions find themselves thrown into new conditions. Untrained to the duties and prerogatives of their new freedom they face it with a background of entirely opposite ideas, with no preparation for the changes in standards of value. Such conflicts end too often in tragedies of frustration, broken homes, of husbands alienated mentally from wives, and wives from husbands.

In the general relationship of the sexes these problems are aggravated. Men whose womenfolk are in purdah, who are brought up to believe that women's virtue can exist only under artificial control, who have no 'positive' standards of self-control, can mix with women who have realised their freedom. Their beliefs, if sincere are an aspersion on the virtue of such women, and stand in the way of real respect for them. Women have to face the criticism and slander of people ignorant of their new standards. That is the price of freedom.

## THREE SOCIAL EVILS

*By SUNDARABAI SUKTANKAR*

Woman's position in society is intimately connected with the problems of marriage. The marriage system in India, as in other countries, has undergone many changes. Child-marriage is one of the types of marriage that exist in India at present. We cannot say at what particular time it was introduced, but it is not to be taken as the only form of marriage, sanctioned by our ancient forefathers.

It is an interesting study however, to see what the Hindu marriage system was in ancient times. In Vedic times women were given a very respectable position in society. Vishwavasa and Ghosha are the authors of 28th Sukta, of 5th book, of Rig Veda, and 40th of 10th Mandal respectively, and in the Upanishada we find Gargi, Maitreyi, Vachakuavi, Arundhati, Sulabha, Suvarchasa discussing philosophic problems with the sages. Taittiriya Samhita supports the same ideal. Again, we get clear references to show that girls were grown up enough to make their own selection for marriage. But in the Sutra period, we find a change of attitude. In Vashishta Dharmasum early marriage is advised. During this period the age limit of marriage was gradually decreasing with the proportionate decrease in the period of living a student's life at the feet of a preceptor. This period of study came down from 12 to 5 years. In Manusmriti (3-1) it is 9 years and in Yajnavalkya (2-36) it is 5 years. But it took a long time for this tendency towards early marriages to be confirmed as a convention.

### THREE SOCIAL EVILS

According to our religious scriptures a girl below 16 is called a *Bala* (child) and any marriage under 16 would necessarily be a child-marriage. In Vedic times we do not find even the traces of child-marriage. On the contrary we can authoritatively say from various passages that the bride was grown up at the time of her marriage. Eight kinds of marriage prevailed—viz., Brahma, Daiva, Arsha, Prajapatya, Asur, Gandharva, Rakshasa and Paishach. The first four were practised in Vedic times. The Prajapatya marriage clearly shows that the bride was not below sixteen. In this form of marriage, both the bride and the bride-groom settle their own marriage with mutual consent. Their parents or guardians took part in the marriage ceremony only. Parents allowed their sons and daughters ample opportunities to choose their partners in life. This would not be possible if the bride was below sixteen.

I might mention here that the general rule for a girl below 16 was to practise strict celibacy. The argument advanced by orthodox people to-day that this is not a possibility is completely refuted by various data. We also find the family priest bestowing blessings on a bride which presumably she understood and replied to. All this shows that the girl who was being married was old enough to understand what was being done, and it necessarily follows that she could not be a child.

In fact in the age of the Ramayana and Mahabharata we have some outstanding examples of love-marriage. "Swayamvara" was the current form of choice in marriage, and we have innumerable instances which prove that the parties were not minors. Marriage was looked upon as an unchangeable Sacrament, and the greatest care had to be taken about the choice. Society and parents had therefore to co-operate and the girl who made her choice did so deliberately and after the age of

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discretion had been reached. The parents would not lay the heavy responsibility of her future on her in tender age, when she could have no independent opinion of her own. This (Swayamvara) system gave full expression and exercise for her opinion and she could select her own partner in life.

It is very common to trace the beginning of child-marriage to the Mahomedan period. But we find that even before the Mahomedan period in India the tendency towards child-marriage had definitely set in. Passages from Manu and other writers prove that child-marriage was sanctioned even before the Mahomedan period. Manu gives the limit of marriageable age of various castes. He says in one place, that as soon as the girl becomes 8 years old she should be married to a suitable husband. In different Sutras like Sankhyayan, Ashvayayana, Grihya and Hiranyakeshi we get words like Kanya Kumari and Nagnika showing the different ages of a bride, fit for marriage. The word "Nagnika" is found in Vaikhanasa Grihya Sutra (3-2-1), and in Manava Grihya Sutra (1-7). Nagnika alone is recommended as best. Kanya and Kumari mean those girls who have not attained puberty and Nagnika means one who is not fully grown up.

Vatsyayan says that a Raka (one who has attained puberty) and Phalini (one who is fully grown up) should be avoided for marriage. Vatsyayan and Chanakya are one. So child-marriage was current in times of Smriti, Upanishad Sutras and at the time of Chandragupta, *i.e.*, 400 B. C. It is surprising however to find people—even in the changed circumstances of the present—supporting child-marriages.

Early marriages result in early motherhood, and statistics show that in cases of mothers below 16 the percentage of still birth and neonatal deaths is 14.8 while in the case of mothers from 16 to 20 it is 9 and in the case of mothers of 20 to 30, it is 4.3. Child

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mortality and maternal mortality are greater in the case of child mothers than in the case of grown up mothers. The first child generally falls a prey to the ignorance of child mothers. These child mothers are weak and anaemic. Their children are less in weight than the children of grown up girls. In fact some child brides have met with death on the very day of cohabitation, being physically undeveloped for it. The result is that a child wife and child mother even if she survives is crushed both mentally and physically and where is the society that can prosper with such members?

Fortunately, however, the women of this country and for the nation itself, the work of the social reformers in this direction is on the increase. The Arya and Brahmo Samajas and a number of caste associations are working in this direction with greater success, and Legislation has been attempted in this direction by two Hindu States—In Mysore the marriage of a girl below 8 and in Baroda below 12 has been penalized. The law of consent was the first step taken in British India. It was not easily passed but strongly opposed by orthodox people. The Sarada Act decided that the age of the girl must not be below 14 and that of the boy must not be below 18 at the time of marriage, nevertheless the time honoured traditions, and the influence of out of date religious ideas are still fighting against this law, and its provisions are being openly flouted everywhere.

Closely connected with this institution of child-marriage is the degradation of women in other spheres of life also. The purdah system for example is one of the most glaring examples of the chains that were forged to bind a woman down.

As long ago as in the age of Ramayana, we find women practising the system of Gosha. Words like Avagunthan and 'Avagunthanvati nari' meaning a veil, or a veiled woman, can be found in Sanskrit literature. But that system was quite different from the present day

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purdah system.

A perusal of history makes it clear that about 1300 A. D. the purdah system was quite current amongst the Hindus. We find references to this system in Radha-Madhav Vilas Champa and can conclude that at least the Kshatriya women had purdah. The incident, that Padmini with maid-servants went in curtained-palanquins to the camp of Allauddin Khilaji, shows that the Rajput women also observed it.

This purdah has taken different shapes on different occasions. We find that various methods of covering the head are found in different castes, e.g., the Rajputs had a thin netted Gosha, and the Marwadis and the Marathas placed their upper garment over the head and pulled it in front so as to cover the face completely. In Northern India, in Bengal, Bihar, Rajputana, Malwa, etc., the custom is current up to this time. In the Deccan however it is extinct.

The purdah system was introduced in the Islamic religion in order to perpetuate purity in morals. India was the victim of various invasions from 800 A. D. onwards and as is natural in such invasions, all sorts of atrocities against men and women were perpetrated by the conquerors. So men started protecting women all the more and kept them concealed and covered like valuable articles. Women themselves were responsible for this downfall as they did not have the necessary confidence in themselves. On the contrary they became so demoralised as to be proud of their weakness, which they described as the delicacy of a Shirisha-flower. The ideal still is one of submission and even educated women are not an exception.

Gradually this seclusion became a sign of dignity and honour. Separate quarters were occupied in the same house by men and women; women were not allowed to attend the festivals, dancing, singing and various other items for merry-making in men's quarters,

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but they engaged themselves in preparing the sweet dishes that were to be served in the festivals, and thus became associated with a very narrow sphere of domestic activities. The ladies were not expected to visit the outer rooms, varandahs or gardens, their quarters were in the backyard. All of them—young and old—were confined in the same room; and male servants could not work in their presence. These women were allowed to see only their sons, brothers, father, uncles and husband, or any other near relation who may be admitted to a position of trust.

Such seclusion has its deteriorating effects both physically and morally. Purdah women are usually victims to anaemia, tuberculosis and pyorrhœa. Their bodies are deformed with their backs bent, bones protruded, hands and feet crooked. Ribs, joints and nearly all bones ache. Heart palpitation is very often present in them. The result of this pelvic deformity is untimely death at the time of delivery.

Purdah women are also deprived of mental nourishment. Being deprived of social culture the process of moral degeneration has set in. Being completely secluded from the outer world they engage their minds in petty family quarrels, in jealousy and in abusive and obscene acts, with the result that all that is narrow and restricted is associated with the term "Woman."

They lag behind their other sisters, cannot take part in any out-door activity and are weighed down by a slavish mentality and an inferiority complex. They have no desire for knowledge, because they are taught not to be interested in anything outside the four walls of their house. Purdah women in particular become helpless, timid, and unfit for any fight in life. Considering the large number of purdah women in India, we can easily understand the nature of our serious national weakness and loss. When in these days of hard economic struggle the question of unemployment is pressing

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us, every member of the family must come to the front to fight out the problem of bread. The women of the other nations are taking an ever-increasing part in nation-building, and unless the women of India take part in public affairs, free from the restraints of purdah, it will be difficult to restore society to her own in the shape of a healthy state of affairs which will have inherent germs of progress and development.

The change is however evident now in India and we can see for ourselves how women's organisations for the uplift of women are springing up rapidly and doing excellent work. Conferences are being held by women, and with the spread of education women have advanced considerably; they have lost faith in the idea that they were to lead a miserable life in purdah on account of the fruit of their Karma in their previous birth; and they no longer look upon themselves as inferior to men. The Women's Indian Association of Madras, the Nari Shiksha Samiti of Calcutta, Stree Bharata Mandal of Calcutta and the Seva Sadan of Bombay, the Saroj Nalini—Central Association of Bengal, Mahila Vidyalaya and various other institutions have each helped in their own way to re-establish woman's freedom and Mahatma Gandhi made the greatest contribution by showing women the way to discard their traditional weakness. Women rose up to the occasion and established their claim to equality in the recent political struggles. They picketed foreign cloth and liquor shops, gave monetary help for the national movement, gave lectures on open platforms, suffered *lathi* charges and strictly following the principle of non-violence, filled the jails and did their duty towards the nation. But this was only a drop in the ocean. The evil though doomed, still persists and until it is eradicated completely those unfortunate women behind the purdah should be given special facilities in the shape of gardens for women, Hospitals, Schools and Colleges.

### THREE SOCIAL EVILS

Closely knit up with the social degradation of woman is her economic position. Where purdah is the sign of respectability, a woman who is forced to go into the world to seek her daily bread is looked down upon. She is not admitted to every profession and as she has no independent means of support, she is compelled to sell her body for money. This is however not the only cause for the existence of prostitution in India. Social rigidity, child-marriage with its necessary consequence child widows, the social taint involved in widow re-marriage, all combine to create in society a new class of women whom we are prone to call "Fallen."

There are three kinds of professional prostitutes, viz., partial, wholetime, and licensed ones. Some prostitutes are open to all persons, rich and poor, dignified and undignified, intoxicated and even diseased for the sake of money. There are others who confine themselves to dignified and non-liquored men. The third class of prostitutes are available at any time to any person whatsoever. The very nature of the life that a prostitute is compelled to lead shows that her continuance in a so-called civilized society is a blot on humanity. Nevertheless there are people still who hold the opinion that prostitutes are necessary for the good of society and so the institution should not be abolished. They are a necessity in big cities and a certain number are actually employed by the Government on payment, for the men in the army and navy.

In the Madras Presidency the system is prevalent whereby girls are dedicated to Gods. They are called *Devadasis*. They sing songs in the morning and dance and sing at the time of worship before God. By certain rites they are married to the image of God. These girls have no moral character at all. They satisfy the allurements of travellers, pilgrims and priests. At Jejuri near Poona also some girls are dedicated for the service of God. These are called *Muralis*. Some prostitutes

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are called Karchanis, Nautch and Naikins. They are in the keeping of one man only and secure their livelihood by means of singing and dancing.

The question that arises is what are the remedies for the removal of this state of affairs? It seems clear that if these women are provided with means of living, most of them will not go astray at all, as a large number of prostitutes have taken this course merely as a means of livelihood. What is therefore needed is a big drive against the system, at the same time providing educational facilities for the women who will have nothing left to do and thus giving them some profession other than the sale of their body. Social taboos will also have to be removed and it will not be essential for the prostitute's daughter to pay for the sins of her parents by continuing in the profession. For this, society will have to change its sense of proprieties and not merely pass laws that are no more than idealistic ideas on paper. What is therefore required is a complete change of heart coupled with honest work in this direction.

## **MARRIAGE AND DIVORCE**



## LEGAL FORMS OF MARRIAGE IN INDIA

By SHYAM KUMARI NEHRU

“By marriage” wrote Blackstone in the 18th century, “the very being or legal existence of a woman is suspended, or at least it is incorporated or consolidated into that of the husband.” This is the spirit behind all the laws of marriage. India however presents sharp contrasts and a bewildering variety of customs, and as we review the legal forms of marriage we are faced with practically as many forms as there are castes, creeds and religions existing.

I. *Hindu Law*. Among the peoples of India, the greatest importance that is attached to marriage is by the Hindus. It is indispensable for the female sex, and “it completes for the man the regenerating ceremonies, expiatory, as is believed, of the sinful taint that every child is supposed to contract in the parents’ womb.”<sup>1</sup> Marriage is a *Sanskara* or Sacrament, it is the last of the ten Sacraments enjoined by the Hindu religion for purifying the body from inherited taint.<sup>2</sup> It is therefore a holy union for the performance of religious duties.<sup>3</sup> But marriage laws have changed considerably since ancient times. Eight forms of marriage are described by Manu, and in less detail by Narada and Yajnavalkya.<sup>4</sup> “The ceremony of Brahma, of the Devas,

<sup>1</sup> See Strange’s *Hindu Law*—Volume I, Ch. II, p. 35.

<sup>2</sup> (1908) 32 Bom. 81.

<sup>3</sup> (1914) 37 Mad. 273. (1904) 7 Mad. 206. (1911) 34 Mad.

422.

<sup>4</sup> Manu III, 20-42; Narada XII, 39-45; Yajnavalkya I, 58-61,

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of the Rishis, of the Prajapatis, of the Asuras, of the Gandharvas, and of the Rakshasas; the eighth, and basest, is that of the Pisachas. The gift of a daughter, clothed only with a single robe, to a man learned in the Veda, whom her father voluntarily invites, and respectfully receives, is the nuptial rite called Brahma. The rite which sages call Daiva is the gift of a daughter, whom her father has decked in gay attire, when the sacrifice is already begun, to the officiating priest, who performs that act of religion. When the father gives his daughter away, having received from the bridegroom one pair of kine, or two pairs, for uses prescribed by law, that marriage is termed Arsha. The nuptial rite called Prajapatya is when the father gives away his daughter with due honour, saying distinctly, 'may both of you perform together your civil and religious duties.' When the bridegroom, having given as much wealth as he can afford to the father and paternal kinsmen, and to the damsel herself, takes her voluntarily as his bride, that marriage is named Asura. The reciprocal connexion of a youth and a damsel with mutual desire is the marriage denominated Gandharva, contracted for the purpose of amorous embraces, and proceeding from sensual inclination. The seizure of a maiden by force from her house, while she weeps and calls for assistance, after her kinsmen and friends have been slain in battle or wounded, and their houses broken open, is the marriage styled Rakshasa. When the lover secretly embraces the damsel, either sleeping or flushed with strong liquor, or disordered in her intellect, that sinful marriage, called Pisacha, is the eighth and the basest."<sup>1</sup>

It is obvious that these forms were founded on different views of the marriage relation and they

Apastamba II, 11 and 12, and Vasishtha I, 28-36, omit the Prajapatya and Pisacha forms.

<sup>1</sup> Mayne : Hindu Law and Usage (9th Ed.) 79.

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belonged to different stages of society. Their relative antiquity too is in inverse ratio to the order in which they are mentioned. The only forms of marriage recognised now are the *Brahma* and the *Asura*<sup>1</sup>.

Two ceremonies have been considered essential to the validity of a marriage—whether it be in the *Brahma* or the *Asura* form—

- (1) invocation before the sacred fire, and
- (2) *Saptapadi*, i.e., taking of seven steps by the couple jointly before the sacred fire.

The moment the seventh step is taken the marriage becomes complete,—till then it is revocable. Consummation is not necessary to make marriage complete and binding. It must be mentioned here however that a marriage may be completed by the performance of ceremonies other than those referred to above where it is allowed by the customs of the caste to which the parties belong.

A Hindu man may marry any number of wives even if he has a wife or wives living,<sup>2</sup> but not so a Hindu woman, who cannot ordinarily remarry in the lifetime of her husband unless her marriage has been dissolved by divorce. Widow marriage has also been legalised recently but is very rare except where it is customary. Polygamy is sanctioned by the law-givers Manu,<sup>3</sup> Vishnu<sup>4</sup> and Narad,<sup>5</sup> and equally so by usage. Polyandry however is a decadent practice though its existence among non-Aryan tribes is beyond dispute. It is very common among the Hill tribes but is also widely diffused among the inhabitants of the plains. Among the Nairs, the woman remains in her own home after

<sup>1</sup> (1866) 11 M. I. A. 139; (1909) 33 Bom. 433; (1910) 34 Bom. 553; (1909) 32 Mad. 512; (1913) 37 Bom. 295; (1926) 48 All. 126.

<sup>2</sup> (1863) 1 Mad. H. C. 375.

<sup>3</sup> Manu III—12.

<sup>4</sup> Vishnu XXIV—I, XV—41, XVIII—I.

<sup>5</sup> Narada XII—19, 33 S. B. E. 169.

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marriage and associates with as many men as she pleases. The Teehurs of Oudh "live together almost indiscriminately in large communities, and even where two people are regarded as married, the tie is but nominal."<sup>1</sup> Among the Western Kallans of Madura, "it constantly happens that a woman is the wife of either ten, eight, six or two husbands, who are held to be the fathers jointly and severally of any children that may be born of her body."<sup>2</sup> Among the Todas of the Nilgiris, as in Thibet, the wife is the property of all the brothers and lives in their home<sup>3</sup>. Similar is the custom that prevails among the Tiyars, or palm cultivators of Malabar and Travancore, and the low-caste Malyalis of Cochin. "Immorality within the family circle is not regarded very harshly"—among the Badagas of the Nilgiris;<sup>4</sup> and we find in the Malabar Marriage Report p. 103 that "among the carpenter and blacksmith classes polyandry exists as an institution, and we see everyday the four or five chosen husbands among this class celebrating their polyandrous marriage openly according to their caste rules and with much ceremony and pomp." We find polyandry in its simplest patriarchal form in the Himalayan valleys, as also in the North-West Provinces among both Buddhist and Brahmanic tribes. In the Punjab it is confined to the Kulu Sub-division and in Assam, though of rare occurrence generally, it still flourishes among the Bhutias. It is however not at all common among the Aryans—all instances of a loose morality among them merely point in the direction of a single husband who may however abuse his position as guardian of his wife by disposing of her whether by sale or gift.

<sup>1</sup> Lubbock, *Origin of Man* (Ed. 1870) 73.

<sup>2</sup> Madura Manual Part II—54.

<sup>3</sup> Breeds Primitive Tribes, 10.

<sup>4</sup> Census 1891, XIII, 243.

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A woman under the Hindu Law is under perpetual tutelage. The *Sastras* enjoin the marriage of a girl before she attains puberty and according to the Mitakshara School the persons qualified to give a girl away in marriage are the father, paternal grandfather, brother, other paternal relations of the girl in order of propinquity and the mother.<sup>1</sup> The *Sastras* however do not contemplate the marriage of a boy before attaining puberty hence no rules are laid down for the order of his guardians. But a male minor is very often married and his lawful guardian consents to his marriage. The consent of a guardian is not so much a right as a duty, and consequently, where marriage has been duly solemnised and is otherwise valid, it is not rendered invalid because it was brought about without the consent of the guardian,<sup>2</sup> or in contravention of an express order of the Court.<sup>3</sup> The principle underlying this is that “*a fact* cannot be altered by a hundred texts.”

The parties to a marriage, however, must belong to the same caste<sup>4</sup> unless it is customary for persons of two different castes to marry. For purposes of marriage converts to Hinduism are regarded as Sudras and in some cases marriage between a male of a higher caste and female of a lower caste have been held to be valid.<sup>5</sup> Mixed marriages are by no means the general rule and at present can be legalised under the Special Marriage Acts which definitely provide for them.

There are also definite prohibited degrees of relationships specified and no marriage is valid between

<sup>1</sup> Narada XII 20-22. Yajnavalkya I, 63.

<sup>2</sup> (1887) 11 Bom. 247; (1891) 14 Mad. 316; (1897) 22 Bom. 812; (1897) 19 All. 515; (1886) 12 Cal. 140; (1913) 35 All. 265; (1921) 2 Lab. 288.

<sup>3</sup> (1898) 22 Bom. 509.

<sup>4</sup> (1869) 13 M. I. A. 141; (1906) 28 All. 458; (1900) 2 Bom. L. R. 128; (1912) 14 Bom. 547; (1926) 24 A. L. J. 757.

<sup>5</sup> (1922) 46 Bom. 871.

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two persons related within the prohibited degrees, unless such a marriage is sanctioned by custom. The two general rules that may be laid down are (1) that a man may not marry a girl of the same *Gotra*; in other words, there can be no marriage between parties both of whom are descendants of a common ancestor in the male line; and (2) a man cannot marry a girl who is his *Sapinda*. This is usually considered to be relationship up to the seventh degree through males or females of the paternal family and up to the fifth degree of the maternal side. It must also be noted that a *Sudra* has no *Gotra* of his own, and the rule of exogamy, i.e., inability to marry a member of the same *Gotra*, does not apply to him. Nor is relationship by marriage an impediment and it has been held in Madras that a man may marry the daughter of his wife's sister.<sup>1</sup>

A legal marriage having been celebrated, the wife passes completely into the *potestas* of her husband, and her marriage with him becomes absolute and for ever indissoluble. The mutual rights and obligations arising from marriage are :—

### (a) *As to husband* :—

He is his wife's natural guardian during her minority; and entitled to her conjugal society. He is bound to maintain her and cannot divorce her unless custom permits. He is entitled to inherit her property but he has no right over her *Stridhan*.

### (b) *As to the wife* :—

She is bound to live with her husband unless he is guilty of cruelty or misconduct; and cannot divorce him without the sanction of custom. She is however the sole mistress of her *Stridhan* and can sue and be sued for it. She has a right of maintenance and residence

<sup>1</sup> (1897) 20 Mad. 283; (1920) 43 Mad. 830.

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in the family dwelling house but cannot inherit her husband's property unless it is separate.<sup>1</sup>

So completely does a wife pass into the *potestas* of her husband that it has been definitely settled that the husband is the lawful guardian of his minor wife and is entitled to insist on her living with him—however young she may be—unless there is a custom enabling her to live with her parents till she has attained puberty.<sup>2</sup> It has been repeatedly held<sup>3</sup> that the infancy of the wife is no ground for depriving the husband of his right to demand that his wife will live with him in the same house, though it has been conceded that “it may be right in the case of a very young girl to require the husband to show that she would be placed by him under the immediate care of some female member of his family.” It may be mentioned here that the minimum age for marriage in India has been fixed at 14 years for girls and 18 years for boys.

It has been settled now for long past that though the Hindu Law does not actually prescribe for a suit for restitution of conjugal rights, such a suit is maintainable, and either party may sue the other for restitution of conjugal rights. The Court, however, may refuse to give a decree against the wife if the husband is suffering from a loathsome disease such as leprosy or syphilis<sup>4</sup>; or he keeps a concubine in the house, and is guilty of cruelty in a degree making it unsafe for a wife to return to his dominion;<sup>5</sup> or has adopted another religion.<sup>6</sup> But the mere fact that the husband has married another wife<sup>7</sup> or is guilty of

<sup>1</sup> Gour, Hindu Code (3rd. Ed.) 27.

<sup>2</sup> (1901) 24 Mad. 255.

<sup>3</sup> (1875) 23 W. R. 178; (1901) 28 Cal. 37; (1926) 50 Bom. 268.

<sup>4</sup> (1868) 5 Bom. H. C. R. C. 209.

<sup>5</sup> (1905) 34 Cal. 971; (1876) 1 Bom. 164.

<sup>6</sup> (1886) 8 All. 78.

<sup>7</sup> (1902) 4 Bom. L. R. 107.

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infidelity,<sup>1</sup> or the fact that the wife is a minor,<sup>2</sup> is not by itself sufficient to entitle the wife to stay away. In fact the husband is entitled to sue for damages any person who assists his wife in remaining away from him without a legally justifiable cause. A decree for restitution was originally enforced by the imprisonment of the wife if necessary, but rules<sup>3</sup> have now been framed for its enforcement and they provide that at the time of passing the decree or afterwards the Court may provide that it shall not be executed by detention in prison.

*II. Mahomedan Law.* Under the Mahomedan Law marriage is essentially a Contract. But its spiritual character has not been lost sight of, for according to the *Ashabah* "It is a Sacrament, insomuch that, in this world, it is an act of worship, for it preserves mankind free from pollution. It is instituted by divine command among members of the human species." It has become an obligatory institution in Islam and the Prophet,<sup>4</sup> addressed his followers thus:—"Oh men, fear your Lord, who hath created you out of one man, and out of him hath created his wife, and from them two hath multiplied many men and women." The matrimonial law of the Mahomedans however, like that of every ancient community, favours the stronger sex<sup>5</sup>.

The definition of marriage given in the Hedaya<sup>6</sup> is as follows:—"Nikkah, in its primitive sense, means carnal conjunction. Some have said that it signifies conjunction generally. In the language of the law it implies a particular contract used for the purpose of legalizing generation." It is now generally accepted

<sup>1</sup> (1891) 13 All. 126, 164.

<sup>2</sup> (1901) 28 Cal. 37; (1886) 10 Bom. 301.

<sup>3</sup> O. 21 Rs. 32 and 33 of the Civil Procedure Code (Act V of 1908).

<sup>4</sup> Koran. Chap. IV—8.

<sup>5</sup> 8 M. I. A. 610.

<sup>6</sup> Hamilton's Hedaya by Grady (2nd Ed.).

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that every Mahomedan of sound mind, who has attained puberty, may enter into the contract of marriage. Consent of the parties is of the essence, and where such consent is obtained by force or fraud, the marriage is invalid, unless it is ratified<sup>1</sup>.

Where the parties to a marriage are minors or lunatics, the consent of the guardian is essential. When a minor has been married with the consent of the father or father's father, the marriage is valid and binding. But where such a guardian has acted fraudulently or negligently and the minor is married to a lunatic, or the contract is disadvantageous to the minor, such a marriage is voidable at the option of the minor on attaining puberty<sup>2</sup>. But where the marriage is contracted for the minor by any guardian other than father or father's father, the right to repudiate the marriage on attaining puberty vests in the aggrieved minor. This right has to be enforced through a Court of law and is lost in the case of a female if, after attaining puberty she does not exercise it without unreasonable delay,<sup>3</sup> and in the case of a male, if he has ratified the marriage either expressly or impliedly—such as by payment of dower or cohabitation. The same rules apply to lunatics, with the difference that they can exercise their option only when they recover their reason.

Marriage being essentially a Civil Contract, the essentials are that there must be proposal by one party and acceptance by the other. Such a proposal and acceptance must be made in clear terms and in the presence and hearing of two male or one male and two female witnesses, who must be sane adult Mahomedans. Both the offer and acceptance must be at one meeting, and no other writing or religious ceremony is essential for

<sup>1</sup> (1909) 31 All. 343; (1921) 45 Bom. 151.

<sup>2</sup> (1925) 47 All. 823.

<sup>3</sup> (1922) 44 All. 61; (1930) 11 Lah. 172; 137 I. C. 739.

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a valid marriage. There is optional registration for Mahomedan marriages and divorce in some districts of Bengal and Assam,<sup>1</sup> but it is expressly provided that the Registrar shall not be authorised to be present at the marriage ceremony unless invited. The usual form given by the Hedaya<sup>2</sup> for proposal is—"I have married myself to you" and for acceptance is "I have consented." The Shia Law, however, does not consider the presence of witnesses essential to marriage.

A Mahomedan may marry as many as four wives at the same time, but not more. This rule is based on the Koranic injunction:—"If ye fear that ye cannot do justice between orphans, then marry what seems good to you of women, by *twos*, or *threes*, or *fours*; and if ye fear that ye cannot be equitable, then only one, or what your right hands possess."<sup>3</sup> This text is undoubtedly somewhat ambiguous, but the accepted interpretation is that there is limited polygamy under the Mahomedan Law. In no case however is polyandry permissible. "It is not lawful to marry the wife of another"<sup>4</sup> and the Koran<sup>5</sup> lays down:—"Ye are also forbidden to take to wife free women who are married, except those whom your right hands shall possess as slaves." In fact, so strict is the law on the subject that a Mahomedan male or female who violates it is liable to be punished under the Indian Penal Code (§ 494) to a term which may extend to seven years and also with fine. In the case of a woman however, as marriage is dissoluble by death or divorce, she may marry a second husband on the expiry of a period of three lunar months where marriage has terminated by divorce, and four months

<sup>1</sup> Kazi's Act 1880, and Bengal Act I of 1876 read with Act VII of 1905.

<sup>2</sup> Hedaya 25, 26; Baillie 4, 5, 10, 14.

<sup>3</sup> Koran, IV, 3.

<sup>4</sup> Baillie Dig. 27.

<sup>5</sup> Koran, IV 25.

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and ten days where it has been terminated by death. In the case of a pregnant woman this period continues until delivery and terminates immediately after. This period between one matrimonial connection and the commencement of another is called the *Iddat*.

Mahomedan marriages may be valid (*Sahib*), or irregular (*fasid*), or void from the beginning (*batil*). There are also various rules restrictive of intermarriage. Persons are prohibited from intermarrying when they are closely related to each other by consanguinity, affinity, or Fosterage. The Koran<sup>1</sup> lays down:—"And do not marry women your fathers married—except bygones—for it is abominable and hateful, and an evil way; unlawful for you are your mothers (extended to all female ancestors how high soever), and your daughters (extended to all descendants how low soever), and your sisters (interpreted to include half-sisters on either side), and your paternal aunts and maternal aunts (extended to great-aunts, how high soever), and your brother's daughters, and your sister's daughters (extended to great-nieces, how low soever)."

No Mahomedan woman can marry a man who does not profess the Mahomedan religion. A man on the contrary can contract a valid marriage not only with a Mahomedan woman, but also with a *Kitabia*. It has been laid down that "lawful to you are chaste woman of those who believe, and chaste women of those to whom the Book has been given before you." A Jewess and a Christian are *Kitabias* as they believe in Scriptures the sacredness of which is acknowledged by Mahomedans, and it is yet open to doubt whether a Buddhist is a *Kitabia* or not.<sup>2</sup>

As mentioned above, Mahomedan marriages may be valid, irregular or void. Irregular marriages are those

<sup>1</sup> Koran IV, 25.

<sup>2</sup> 21 Cal. 666 and 21 I. A. 56.

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contracted without witnesses; or with a fifth wife by a person having four wives; or with a woman undergoing *iddat*; or prohibited because of difference of religion; or with a woman so related to the wife that if one of them had been a male, they could not have lawfully intermarried. An irregular marriage however may be made valid by the accidental circumstance that makes it irregular, being remedied. If the irregular marriage is not consummated, it has no legal effect. Whether before or after consummation it may be terminated by either of the parties expressing a clear intention to separate. If consummation has taken place then the wife is entitled to dower—proper or specified—which-ever is less, and she is bound to observe *iddat* but the period both for divorce and death is three courses, and the issue of the marriage is legitimate. The only disability is that an irregular marriage does not create mutual rights of inheritance between husband and wife, though in a particular case it has been held in Oudh that it does create such rights.<sup>1</sup>

Marriages that are not irregular and which have yet been contracted within the prohibited degrees, are void. A void marriage is no marriage at all; it does not create any civil rights or obligations between the parties and the offspring of such a marriage are illegitimate.

A necessary consequence of a Mahomedan marriage is that the wife can claim from her husband, by way of consideration for the surrender of her person, a sum of money or other property—known as her ‘Dower.’ The germ of the law on this subject is to be found in the *Koran*<sup>2</sup> which lays down:—“And give women their dowries freely; and if they are good enough to remit any of it themselves, then devour it with good digestion and appetite.” Nothing has been definitely laid down

<sup>1</sup> 107 I. C. 882.

<sup>2</sup> Koran, IV, 3.

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as to the minimum amount to be specified as dower. There is a traditional precept ascribed to Ibn Mussaood which says:—"To the women belongs such a dower as is usually assigned to her female paternal relations;" and there is another saying<sup>1</sup>—"That person who gives two handfuls of dates or meal, in a settlement on his wife, has made her lawful for him." The legal minimum specified in Arabian authorities and supported by a traditional saying of the Prophet<sup>2</sup> is ten *dirms*. It has been held by the Allahabad High Court<sup>3</sup> that ten *dirms* are equivalent of Rs. 107. It must be noted however that things not yet in existence, e.g., next year's crop; things the use of which are forbidden to a Moslem, e.g., wine or pork; and personal services to be rendered by a husband to his wife do not count as property for the purposes of dower.

The dower may be fixed even after marriage<sup>4</sup> and if no amount is fixed the wife is entitled to "proper" dower (*mabr-i-misl*), even though the marriage was contracted with the express condition that no dower would be claimed. The amount of dower is usually split into two parts, one is called "prompt" which is payable on demand and the other "deferred," which is payable on dissolution of marriage by death or divorce. If it is not settled at the time of marriage whether the dower is to be prompt or deferred, then according to the Shia Law the whole amount may be treated as prompt,<sup>5</sup> but under the Sunni Law it is determined according to custom and the circumstances of the case as to which part is prompt and which deferred.<sup>6</sup>

<sup>1</sup> Mishcat, II, 192.

<sup>2</sup> Hedaya, 44.

<sup>3</sup> 2 All. 573; 32 All. 107.

<sup>4</sup> (1880) 3 All. 266; (1926) 1 Luck. 83; (1929) 4 Luck. 343.

<sup>5</sup> (1873) 19 W. R. 315 (P. C.); (1899) 23 Mad. 371.

<sup>6</sup> 1 All. 483; 506; 33 All. 291; 41 All. 562; 8 Pat. 645; (1865)

<sup>2</sup> B. H. C. 291.

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The wife may remit the dower or any part of it in favour of her husband or his heirs even though such a remission is made without any consideration. This remission however must be made with her free consent, and not when she is in great mental distress. Her claim for dower will be treated as a debt against the husband's estate, though an unsecured debt. The husband, on the contrary, obtains full authority over his wife upon payment of her dower. "When the husband has duly paid to his wife the whole of her dower, he is at liberty to carry her wherever he pleases, because the word of God says, 'ye shall cause them to reside in your habitations.'"

The reciprocal duties of husband and wife arising out of a legal marriage are—(i) for the wife—(subject to refusal for non-payment of her dower) :—residence in her husband's house; obeying his reasonable commands and performing her marital duties whenever required at reasonable times and places with due regard to health and decency; and observing strict conjugal fidelity and refraining from undue familiarity with strangers and all unnecessary appearances in public.<sup>1</sup>

If a woman is disobedient, the husband has various remedies open to him. It has been laid down that "If a woman be *nashizah* or rebellious, she has no right to maintenance until she return to her husband."<sup>2</sup> The husband may divorce such a rebellious wife, or refuse to maintain her, or sue for restitution of conjugal rights.

The right of a husband to inflict moderate personal chastisement has been clearly recognised by the Mahomedan Law. It has been laid down<sup>3</sup>—"But those whose perverseness ye fear, admonish them and remove them into bedchambers and beat them; but if they submit

<sup>1</sup> Wilson's: Anglo-Mahomedan Law 49.

<sup>2</sup> Baillie 438.

<sup>3</sup> Koran IV, V, 40.

to you, then do not seek a way against them." This marital power of correction has never been expressly taken away by the Indian Legislature, and wife-beating if confined to "moderate chastisement" may be taken out of the purview of the criminal law of the land provided that there is absence of "actual violence of such a character as to endanger personal health or safety."

(ii) The duties of a husband towards his wife are to maintain his adult wife in a suitable manner, but he is not bound to maintain her if she is too young for sexual intercourse, nor if she refuses herself to him without reasonable cause or is otherwise disobedient; if he has more wives than one, to provide each with a separate sleeping apartment, and to give to each as far as possible an equal share in his society and equal treatment in other respects; and in any case to allow her the use of an apartment from which she may exclude all persons except her husband himself; to allow her to visit and be visited by her parents, or children by a former husband, with reasonable frequency, and to allow her to visit, and be visited by, her own blood relations (within the prohibited degrees) at least once a year. But he is under no legal obligation to allow her to visit, or be visited by, strangers, or to go out to marriage feasts, public baths, and the like.<sup>1</sup>

The husband is under no obligation to observe conjugal fidelity and the wife cannot leave him on this ground. The wife's remedies against the husband are a suit for maintenance, or refusal to live with him if there is actual or threatened violence of a serious nature, and having thus ceased to reside with him she may obtain from the Magistrate an order for maintenance not exceeding Rs. 50/- per month. This order will be cancelled if she is found to be living in adultery subse-

<sup>1</sup> Wilson's Anglo-Mahomedan Law 53.

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quently, or if she refuses to live with her husband without sufficient reason, or if they are living separately by mutual consent. The order will become inoperative whether it is cancelled or not if there is a valid divorce between the parties, on the expiration of the wife's period of *Iddat*.

There is another form of marriage among one Section of the Mahomedans—the Shia Section—which is known as *muta* marriage. This is a temporary marriage which must be contracted for a fixed term of years or period of time, and some dower must be specified. Where the term is not fixed, the marriage is regarded as permanent; but if the dower is not specified the contract is void. On the expiry of the term the contract dissolves of itself, and may be re-established by mutual consent.

Difference of religion is no bar to temporary marriages among Shias of the male sex. A *muta* marriage may be contracted by a Shia of the male sex with a woman professing the Mahomedan, Christian or Jewish religion, or even with a woman who is a fire-worshipper, *i.e.*, Magian (Parsee woman), but not with a woman following any other religion. A Shia woman on the contrary may not marry, even in this temporary form, any man who is not of the same religion and even of the same sect as herself.

The incidents of a *muta* marriage are that no mutual rights of inheritance are created between the man and the woman. The children however, who are conceived while the marriage exists, are legitimate, and capable of inheriting from both parents. No right of divorce is recognised but the husband may make a gift of the unexpired term at his will and thus put an end to the contract. If there is no consummation the woman is entitled to half her dower; but if there is consummation she is entitled to the whole of her dower even though the husband may have ended the contract by

giving away the unexpired portion of the term. Where however the woman leaves her husband before the expiry of the term of contract, the husband is entitled to a proportionate part of the dower. Though the *Sharaya-ul Islam* lays down "the name of a wife does not in reality apply to a woman contracted in *muta*," and the general rule of Shia Law is that the wife is not entitled to maintenance in a *muta* form of marriage, the High Court of Calcutta has held<sup>1</sup> that she is entitled to maintenance as a wife under the provisions of the Criminal Procedure Code.<sup>2</sup>

### *III. European British Subjects and Indian Christians.*

The English settlers in India obtained from a very early period the concession, even though they were mere settlers and traders, of being governed by their own laws in respect of marriage and marital relations. Hence from the earliest times the law applied to English settlers was the law prevalent in England at the time of their settlement. We have it on record that when the Nawab was about to send a Kazi, or Judge, to administer justice to the Natives who had built their homes with the English settlers in the factories of Madras and Bengal, "the Company's servants bribed him to abstain from such proceedings."<sup>3</sup>

But the circumstances of settlement in a foreign country necessitated some changes and we find certain modifications of the English Laws of Marriage. The Indian Christians mostly allowed themselves to be placed under the English Law, but their case presented great difficulties. The English Law could not be technically applied to them nor could they be allowed to be governed

<sup>1</sup> Luddun v. Mirza Kumar, 8 Cal. 736.

<sup>2</sup> 488 Criminal Procedure Code.

<sup>3</sup> 1 M. I. A., p. 272; Cowell's Legislative Authorities in India, p. 12.

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purely by the Native laws. Some of the ideals of the country, e.g., polygamy were completely opposed to Christian ideas of marital relations, and the necessity arose to provide the Indian Christians with definite laws suited to them. The policy with regard to the other natives of the country was to allow them to retain their own laws with as little interference as possible and the Indian Legislature, in pursuance of this policy has interfered as little as possible, despite rapid social changes, in the personal law of the inhabitants of the country.

*Statutory Laws.* It has however been found necessary to interfere in four classes of cases and peoples :—

- (i) Europeans and Native Christians.
- (ii) Communities having no definite laws of their own.
- (iii) On grounds of public policy and morality.
- (iv) For some communities of recent origin.

The Acts passed on the various forms of marriage may be grouped under the four divisions mentioned above as follows :—

- (i) (a) Christian Marriage Act (XV of 1872) and Marriage Validation Act.  
(b) Native Converts' Marriage Dissolution Act (XXI of 1866).
- (ii) (a) Parsee Marriage and Divorce Act (XV of 1865).  
(b) Malabar Marriage Act (Mad. Act IV of 1896).
- (iii) Foreign Marriage Act (XIV of 1903).
- (iv) (a) Special Marriage Act (III of 1872).  
(b) Anand Marriage Act (1909).

1. *The Indian Christian Marriage Act* (XV of 1872) was passed in order to consolidate and amend the law relating to the solemnisation in India of the marriages of persons professing the Christian religion. This Act extends to the whole of British India and also to "the

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Christian subjects of Her Majesty" in "the territories of Native Princes and States in alliance with Her Majesty." It lays down that marriages between "persons one or both of whom is or are a Christian or Christians shall be solemnised in accordance with the provisions" of the Act; "and any such marriage solemnised otherwise than in accordance with such provisions shall be void."

The time fixed for solemnizing marriages under the Act is usually between the hours of six in the morning and seven in the evening, and the place for solemnizing marriage is "a Church where worship is generally held", unless there is no such Church within five miles distance, or there is a special license to authorise a different place. It will be noted thus that under this Act a marriage can either be solemnized in a Church or be registered as a purely statutory marriage.

Notice of an intended marriage has in every case to be given by one of the persons intending marriage, giving various particulars about the parties. In case one of the parties is a minor the consent of the lawful guardian has to be obtained. The notice is put up in a public place and a certificate of the said notice is issued on a declaration being made that there is not any impediment of kindred or affinity or other lawful hindrance to the said marriage. The marriage must then be solemnized within two months of the issue of the certificate otherwise a fresh notice will be necessary.

Where the marriage is not solemnized in Church and is merely registered in the presence of a Marriage Registrar, all that is necessary is that each of the parties must declare "I do solemnly declare that I know not of any lawful impediment why I, A. B. may not be joined in matrimony to C. D.", and each of the parties shall say to the other as follows or to the like effect:—"I call upon these persons here present to witness that I, A. B. do take thee C. D. to be my lawful wedded wife (or

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husband)." All this must be done in the presence of two or more credible witnesses besides the Marriage Registrar.

There is a special section of the act which applies to marriages of "Native Christians." A Native Christian applying for a certificate may get it without the preliminary notice essential, provided the age of the man exceeds 16 years and the woman 13 years, neither of the parties has a husband or wife living, and the declaration to be made in the presence of the person licensed to solemnise marriages and two credible witnesses is as follows or to like effect:—"I call upon these persons here present to witness that I, A. B. in the presence of Almighty God, and in the name of our Lord Jesus Christ, do take thee, C. D. to be my lawful wedded wife (or husband)." There is also a proviso that no certificate will be issued unless the parties have completed their 18th year, or have obtained the consent of their guardian.

2. *The Parsee Marriage and Divorce Act* (XV of 1865) was passed at the instance of the Parsee Community in order to define and amend the law relating to Marriage and Divorce in that community. No marriage can be valid if it is between parties related to each other in any of the degrees of consanguinity or affinity prohibited among Parsees,<sup>1</sup> and unless it is solemnised according to the Parsee form of ceremony called *Asirvad*—by a Parsee priest in the presence of two independent Parsee witnesses. The parties must have completed the age of 21, otherwise the consent of their guardian is necessary. The marriage ceremony itself of *Asirvad* includes a prayer (the *nikah*), or exhortation to the parties.<sup>2</sup> Polygamy and polyandry are both prohibited and it is the

<sup>1</sup> See Table framed by Governor-General in Council (*Gazette of India*, 9th Sept. 1865,—pp. 981 & 982).

<sup>2</sup> 13 Bom. 302.

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duty of the officiating priest to issue a certificate of marriage signed by the witnesses and guardians (if necessary) and then register the marriage. A Parsee marriage is dissoluble and is in this sense in the nature of a contract.

3. *The Malabar Marriage Act* (IV of 1896) was passed to provide a form of marriage for persons following the Marumakhathayan or the Aliyasantana Law in the Presidency of Madras. There were several forms of marriage prevalent among the two great communities of Malabar and South Canara but they were treated as mere sexual unions without the sanction of law.

Such unions were dissoluble and were not regarded as a sacrament. "There is no officiating priest in attendance, there is no formula to be repeated, there is no Vedic, Puranic or religious chant or exhortation, and there is no formal benediction."

The result of such forms of marriage was that there was no legal sanction for the relations between the sexes and it was repeatedly held that in "Malabar there is no legal marriage."<sup>1</sup> Marriage was optional with women and there was considerable freedom recognised by Society and Caste. The Marumakhathayan Law—which applied to all the Brahmans with few exceptions, the low-class Malayalis, and the agrestial slaves and the hill-tribes<sup>2</sup> could not be said to actually sanction polyandry if by that term is meant a plurality of husbands publicly acknowledged by society and by each other, sharing between them a woman's favours by mutual agreement; but there was undoubtedly a usage which permitted a woman to cohabit with a plurality of lovers without loss of caste, social degradation or disgrace, and this licence was

<sup>1</sup> 15 Mad. 75.

<sup>2</sup> Mal. Man. I, 155; Cochin Census Report 1891, 180; Travancore Census Rep. 1891, 253, 770-776.

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generally in practice.<sup>1</sup> It was to legalise these various forms and usages and to make these sexual unions acceptable as marriages in a Court of Law that the Malabar Marriage Act was passed in 1896.

The Act describes the *Sambandham* as an "alliance between a man and a woman by reason of which, they, in accordance with the custom of the community to which they belong or either of them belongs, cohabit or intend to cohabit as husband and wife." The conditions subject to which a *Sambandham* may be registered are that neither party must be subject to a personal law under which the marriage may not be validly contracted with the other party; the relationship between the parties to the marriage must not be within prohibited degrees; neither party must have a husband or wife living whose *Sambandham* with her or him has been registered validly under the Act, or with whom he or she is legally married; the parties must not belong to different communities according to the custom of which cohabitation between members of either community is prohibited; the *Sambandham* must have been formed in accordance with the customary ceremonies of the parties; and a minor must have obtained the consent of his or her legal guardian.

Notice of marriage has to be given to the Registrar and the marriage may be registered if there are no objections to it one month after the date of Notice. The legal effect of the Registration is that the wife and children shall be maintained by the husband or father, as the case may be. In a Civil Suit, however, by the wife or children for maintenance, it shall be open to the husband or father to plead all defences open in such a suit to a Hindu governed by the ordinary Hindu Law.

4. *The Foreign Marriage Act* (XIV of 1903) applies to all British subjects and to all servants of the king, whether

<sup>1</sup> Moore's Malabar Law and Custom, 3rd Ed., pp. 56, 58.

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British subjects or not, in the territories of any Native Prince or State in India. Notice has to be given by one of the parties to the intended marriage provided he has resided in the place for three consecutive weeks before giving such notice. Four clear days after the Notice is received by the Registrar, and he being satisfied that there is no impediment to the marriage by reason of kindred or affinity or any other legal hindrance, a certificate will be given to the party applying that notice has been given and published. The marriage will then be solemnised under the provisions of the Foreign Marriage Act 1892 (55 and 56 Vict. C. 23).

5. *The Special Marriage Act* (III of 1892) provides for marriage between persons who do not profess the Christian, Jewish, Hindu, Mahomedan, Parsee, Buddhist, Sikh or Jaina religion; and legalizes certain marriages the validity of which would be doubtful under any other law. This Act has been further amended by Act XXX of 1923, which legalizes marriages between Hindus, Buddhists, Sikhs and Jains irrespective of caste. The legal effects of the unamended Act of 1872 and those of the amended portion of 1923 are different, and it is a peculiar anomaly that whereas the personal law of the parties marrying under the 1872 Act does not change, the Hindu Law is not applicable to persons who register their marriage under the Amendment of 1923.

The Special Marriage Act was the result of the agitation of the Brahmo Samaj of Bengal, which was not prepared to recognise any of the ceremonials under the different religious laws of India. With the growth of greater social freedom and a different idealism that inspired certain classes of people, it also became necessary to provide a law for marriages between persons belonging to two separate religions. The Hindu as well as the Mahomedan Law must be adopted or renounced as a whole, and therefore with a declaration that the parties to the marriage did not profess the Christian or the Jew-

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ish or the Hindu or the Mahomedan or the Parsee or the Buddhist or the Sikh or Jaina religion, it became possible for two people of different religions to get married. This declaration is no longer necessary for those Hindus, Buddhist, Sikhs or Jains who marry among each other. It has however been held that the Declaration under the Act does not amount a cession of the personal law of the parties, "And so questions as to succession and rights to property must be determined by or under no law, other than the personal law of the parties, as the mere declaration under the Act does not amount to a renunciation of the personal law of the parties."<sup>1</sup>

Whenever a marriage has to be solemnised under this Act or the amendment thereof, it is necessary that neither party should have a husband or wife living at the time of marriage, that the man must have completed 18 years and the women 14, and if either is under 21 years the consent of the guardian must have been obtained, and the parties must not be related in any degree of consanguinity or affinity which would according to any law to which either of them is subject, render a marriage between them illegal.

Notice has to be given by one of the parties to the marriage, who must have resided in the place for fourteen days previous to giving such notice. The Registrar will thereupon record the notice and the marriage may be solemnised 14 days after the notice. Before the marriage is solemnised the parties and three witnesses shall in the presence of the Registrar sign a declaration in a particular form, and the marriage will be legal provided each party says to the other, in the presence and hearing of the Registrar and witnesses:—"I (A), take thee (B), to be my lawful wife (*or* husband)."

The Special Marriage Act enforces strict monogamy, and the parties marrying must be single at the

<sup>1</sup> 30 Bom. L. R. 139; 49 Cal. 1069.

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time of giving notice. The marriage is dissoluble under the Indian Divorce Act, and the issue of marriages solemnised under this Act (unamended) shall be deemed to be subject to the law to which their fathers were subjects.

The legal effects of marriages under the Amendment of 1923 are slightly different. Parties to the marriage lose their right of adoption, and if the person so marrying is an adopted son, his adoptive father may, if he so chooses, make another adoption. Such marriage has the effect of dissolving the joint family and the succession to property is determined by the provisions of the Indian Succession Act. It will thus be seen that a paradox has been created—if an individual declares that he does not profess his religion, his personal law will still apply to him, but not so to a Hindu who will marry without such a declaration under the Amended Act!

In the result, we find that there is no purely Civil Law that exists in British India for the solemnisation of interreligious marriages. Some enlightened rulers of Indian States have however passed laws favouring non-denominational marriages. "The Baroda State in 1908, the Indore State in 1916, and other States, including the Kolhapur Darbar, have enacted Civil Marriage Laws legalizing the marriage of persons without reference to their religion or caste. These laws enable all persons whether British subjects or otherwise to contract civil marriages within those territories, and as marriage is an international institution marriages so contracted hold good everywhere, with the result that the barriers of religion and caste now offer no impediment to the solemnisation of civil marriages on the Indian soil. Outside India such marriages are possible everywhere in European countries, America and in Japan where marriage is treated as a Civil Contract and may be similarly contracted. And since a ship registered in a foreign country preserves its nationality outside the territorial

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waters of India; that is within three miles of its coast, a civil marriage on board such vessel is equally possible. But in British India there is yet no Civil Marriage Law, and no person can contract a civil marriage. The disability from which he suffers is purely territorial, and the only Act under which he is able to marry a person outside his own caste is the Special Marriage Act: but in doing so he has to declare that he does not profess his religion.”<sup>1</sup>

6. *Anand Marriage Act* (VII of 1909) was passed in order to remove all doubts as to the validity of the marriage ceremony common among the Sikhs called *Anand*. It does not apply to any marriage between persons who do not profess the Sikh religion or to any marriage judicially declared as null and void. It lays down that all marriages which may be or may have been duly solemnised according to the Sikh marriage ceremony called *Anand* shall be, and shall be deemed to have been, with effect from the date of the solemnisation of each respectively, good and valid in law. There is a proviso however that no marriage can be valid between persons who are related to each other in any degree of consanguinity or affinity which would according to the customary law of the Sikhs, render a marriage between them illegal. The ceremony itself consists in the recitation of a certain text called the *Anand* text.

IV. *Customary Laws.* Various types of marriage are prevalent among Hindus and those who are not strictly speaking Hindus according to family, caste, local and tribal customs. These customary forms of marriage when duly performed, are as valid and binding as any marriage celebrated in orthodox or regular fashion and British Courts of Law have recognised them where the custom has been satisfactorily established. The follow-

<sup>1</sup> Gour’s Hindu Code, 616.

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ing are some of these forms as recognised by Courts of Law:—

(1) There are two kinds of marriages prevalent among the Tipperah Rajas:—

(a) *Mookhochandrika*—“Marriage takes place by mutual interchange of glances between the bridegroom and the bride according to the Shastras in the orthodox fashion.

(b) *Santigribita*—Marriage is performed according to the *Gandharva* form by the worships of the goddess Tripoora and taking *Santi* water. The ceremony has been described thus:—“According to the custom prevailing in Tipperah, the worship of the goddess of Tripoora is performed, then the priests present garlands and sandal wood powder to the Raja and Rani, who then receive *Santi* water (water of absolution).<sup>1</sup>

(2) *Phoolbibabi*—This practice is prevalent in the Rajas of the Tributary Mahals in Cuttack. They usually have three kinds of wives:—(a) *Paat*, *Phoolbibabi* and *Kaneez*. The *Paat* Rani must be of the same caste. The *Phoolbibabi* Rani however, may be a woman of another caste and is taken into the Raja’s establishment by the ceremony of his putting round her neck a garland of flowers. The *Kaneez* is a slave concubine.

(3) *Asura*—This form of marriage is one of the eight forms laid down by Manu<sup>2</sup> and now generally obsolete. It is peculiar to the Vaishya and Sudra castes —i.e., the mercantile and servile classes in Bombay.<sup>3</sup> It is also prevalent in Southern India. Among Hindus

<sup>1</sup> 1 W. R. 194 (1864); also see 25 W. R. 404 (1876); 2 Bom. 9; 8 B. H. C. R. O. C. J. 244.

<sup>2</sup> Manu III, 31.

<sup>3</sup> Steel’s Summary, p. 31.

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of the Bhandari and other inferior castes and the Nagar Vissa section of the Vania caste however, the form of marriage corresponds with one of the approved forms and not the Asura.<sup>1</sup> The money given to the bride's father is known as *palu, dez, pon*.

(4) *Gandharva*—This also is one of the forms of marriage now generally obsolete, but it is still prevalent among Rajas and Chiefs. The ceremony observed consists of an exchange of garlands of flowers between the bride and bridegroom without a nuptial rite, *boman*, and without the customary token of legal marriage, called *pustelu* being tied round the neck of the bride. The Allahabad High Court has held that such a marriage is nothing more or less than concubinage, but the Calcutta High Court decided that among the Kshatriyas it was valid. It also prevails among the Rajas of Tipperah. The Madras High Court has held that in order to constitute a valid marriage nuptial forms are essential.<sup>2</sup>

(5) *Kurao*—This system of marriage prevails amongst the Jats, Goozars and Aheers in the North-West Provinces. The marriage is also known as *Kerao*, *Kaje*, *Dhericha*, or *Dhareyja*. This marriage is usually contracted with a widow and is considered inferior to *Shadee* or marriage with a maiden. Among the Jats the marriage of a widow with the brother of a deceased husband is common and recognized as lawful, and the children are considered legitimate and entitled to inheritance. This custom of *Kurao* is also prevalent among the *Lodh* caste, but in the lifetime of a wife by regular marriage it can only take place with the consent of the brotherhood.<sup>3</sup>

(6) *Pat and Natra marriages*—Among the Marhat-

<sup>1</sup> 8 B. H. C. R. O. C. I. 244; 2 Bom. 9.

<sup>2</sup> 3 All. 738; 2 Knapp 203 (1834); 1 W. R. 196 (1864); 12 Mad. 72.

<sup>3</sup> 5 N.-W. P. (All. 94, 1873).

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tas a second marriage of a wife or widow is known as *Pat* and in Gujrat as *Natra*. A maiden married is known as *biahi* or *shadee* or *lagan* wife. The term *Natra* also applied to a man contracting a second marriage in the lifetime of his first wife.

(7) *Sagai* or *Shunga* marriage—This form is prevalent in Bengal and Bihar and is usually practised in the remarriage of widows or of a woman whose husband is alive. It is not attended by any religious ceremonies; no Brahman officiates and the main ceremony in Behar, for example, is the putting of a red or *sindur* mark on the forehead of the bride in the presence of friends and relatives. In the case of the remarriage of a woman whose first husband is alive and whom she leaves, the *panchayat* meets and decides whether some fine should be paid for the restoration of her caste. In Bihar numerous castes such as Koires, Dosads, Gowalahs, Telees and others solemnise the marriage of their widows in the *Sagai* form; in the district of Midnapore remarriage of widows among Nomosudras in the *Shunga* or *Sagai* form is customary; in Chota Nagpore among some aborigines and among the Halwaee caste the same custom is prevalent.

(8) *Odaveli* marriage—This is the form among the Lingayet Goundans in the Wynaad by which widows are remarried. The regular form of marriage is the *Kalianam*. This form is usually not accompanied by any ceremonies, but a feast is given, the bride and bridegroom sit on a mat in the presence of the guests and chew betel; their clothes are tied together and the marriage is consummated the same night.

(9) *Serai* *Udiki* marriage—This is the second marriage of a wife forsaken by the first husband and is prevalent among the Lingayets of South Canara.<sup>1</sup>

<sup>1</sup> 8 Mad. 440.

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(10) *Dagger Marriage* is prevalent among the Kumbla Zemindars in the Madras Presidency. "This sort of marriage takes place in the case of inequality in the caste or social position of the bride and is looked upon as an inferior kind of marriage. The use of a dagger is an essential of the marriage ceremony. The Zemindar does not appear at the marriage but is represented by a dagger; and, in the presence of this dagger, the *bottu* is tied to the bride. Ladies united to a Zemindar according to the dagger form are called *bboga strees*, whereas a lawfully wedded wife is called a *moha stree*."<sup>1</sup>

(11) *Bhati* and *Bebhati*—These are the two classes of Ranis in the family of the Raja of Foolkoosunah in Manbhoom. The *Bhati* Ranis are those who can eat rice with the Raja or whose rice can be taken by the Raja. The *Bebhati* or *bbegurbhati* Ranis are those whose rice cannot be eaten by, or who cannot eat rice with the Raja.

(12) *Chudder Andazi*—This is a form of marriage in the Punjab according to which Rajputs and Sikh Sardars marry Mahomedan women. Such marriages have been contracted between different sects of Hindus also and have been held to be valid and lawful.<sup>2</sup>

(13) *Sarvasvadhanam*—This form is peculiar to the Nambudris in Malabar. It closely resembles the "putrika-putra" idea among other classes of Hindus, i.e., the practice of constituting as heir the son of an appointed daughter. The formula used at the marriage is:—"I give unto thee this virgin, who has no brother, decked with ornaments. The son who may be born of her shall be my son." Thus the first born son of the marriage becomes the son of the father.

(14) *Ghair Kuf*—A wife who is a *Ghair kuf* is

<sup>1</sup> 17 Mad. 422.

<sup>2</sup> 4 P. L. R. 1905; 49 P. R. 1903.

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regarded as her husband's social inferior among Mahomedans. According to some authorities such a marriage is between persons whose families have not previously intermarried. This custom was the subject of litigation and it was held that issue of such marriages were under no disability with regard to their inheritance in the parents' property,<sup>1</sup> and the marriage was perfectly valid.

(15) *Sata and Paribarta*.—These forms are based on a contract between two families, and one marriage contract is conditional on the performance of the other. Such intermarriages are called *Sata* in Bombay and *Paribarta* in Bengal. In the latter province these *Paribarta* or exchange marriages often take place—and are also quite common among the Brahmans.

V. *Buddhist Marriage*.—Unlike the Hindus, marriage is not regarded as a sacrament among the Buddhists, yet it plays a very important part in the life of the people as it is a contract as well as an institution which produces rights and duties different from the general class of contracts. Buddhist law favours the equality of the sexes and in many ways treats marriage as creating a partnership in goods.

The *Manu Kyay Dhammathat* refers to three kinds of marriage among Buddhists :—

(1) A man and woman given in marriage by their parents, who live and eat together;

(2) A man and woman brought by the intervention of a go-between, who live and eat together;

(3) A man and woman who come together by mutual consent, who live and eat together. To constitute a valid marriage no ceremony is requisite, all that is required is consent on both sides to live together as husband and wife. Where parties are minors the consent

<sup>1</sup> 33 I. A. 107.

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of the guardian has to be obtained, and if the guardian does not object within a reasonable time where minors have already contracted a marriage, he loses his right of objection because of the delay. If the bride's people are alive, the usual form is that they inform friends and relatives and have some sort of an entertainment.

If a girl elopes with a man, he is bound to restore her to her parents thrice, and if even after this she elopes with him again, he has a right to keep her and marry her and her parents cannot cause their separation. If a girl is not married till she has attained 20 years of age, she has the right to marry anyone she pleases. A widow or a divorced woman have the right to remarry, and a woman whose husband becomes a priest must wait for his return for 7 days and is at liberty to remarry after that. A woman who has been deserted by her husband for three years can remarry and this period of three years will be determined from the receipt of the last letter or token from the husband for "so long as a husband maintains communication with his wife he may take as many more wives as he pleases." No girl or woman however can be forced into marriage against her will.

A man cannot marry within the prohibited degrees of consanguinity and affinity. The prohibited degrees are practically the same as those among the Hindus, and a Buddhist may marry his wife's sister during the lifetime of his wife as also his brother's widow.

Polygamy is lawful, but monogamy is looked upon theoretically as better. The principle is that a man should have but one wife but as a matter of practice men have a plurality of wives therefore the *Manu Kyay* mentions the first wife as the "head" or "chief" wife and the others as "lesser wives" or "concubines." The "chief wife" or "Maya" as she is usually called—lives with the husband in the same house, the "lesser wives" or concubines reside in separate houses, do not eat

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with the head of the family and take no part in the management of their husband's business. Provision is however made for these lesser wives and their children sharing in the father's estate, and they have a definite legal status.

The above description of the systems of legal marriage will show that the laws are far from being uniform, in fact there are as many different laws as there are castes or classes in the country. It being the universal practice of mankind to consecrate their marriages by religious ceremonies, the differences of religion unavoidably introduce exceptions in the matter of the rule of universality that should be applied as the ordinary rule of the land.

## EARLY MARRIAGE

*By RAMESHWARI NEHRU*

When and how the custom of early marriage arose in India it is difficult to say. But it is well-known that in Vedic times it did not exist. From the evidence of ancient Sanskrit dramas and of Puranic literature it is obvious that at that time marriages were contracted between grown-up men and women and that often they chose their partners of their own free will. There are instances in the Puranas of young women and men marrying each other even against the wishes of their parents. The later custom of Swayambar which prevailed amongst the Rajput Kshatriyas proves that till as late as the tenth or twelfth century A. D., girls were free to choose their own husbands—which, it is evident, they could not possibly have done in their infancy. In what period exactly the custom of early marriage began, no student of history has yet been able to ascertain. There is a section of people who believe that this practice came into vogue with foreign invasions. Some put it down to the time of the Moslem invasions, while others would date it as far back as the border-raids of the Greeks. They believe that, in those days of general unsettlement, the practice of early marriage was adopted by the people as a measure of security. The large majority of the Hindus, however, led by the orthodox Pandits, think that the custom has its sanctions in the Hindu religion and, therefore, is as old and Sanatan as the Hindu Dharma. Whatever may be the reason or time of its origin, it is clear that the custom is very old and that at the present time it exists throughout

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India and is practised by all the communities except a few small ones.

With the spread of women's education and the rapid change in economic and social conditions the rigour of the practice is toning down and among the educated classes the marriage age of girls all over India is steadily rising. A much larger number of girls than before are taking advantage of high school education and the bulk of such girls are unmarried. But India is so large a country and its schools and colleges form such an infinitesimal part of the whole that, in spite of the great improvement visible in its towns, the change has not appreciably affected its masses. The practice continues amongst the villagers and also amongst the majority of the unenlightened townspeople.

On the basis of the figures of the 1921 census, the Age of Consent Committee calculated that 42·2 % of girls under the age of 15 were affected or likely to be affected by early marriage. The 1931 census report reveals little improvement. Girls are still to be found in the married state as well as in the state of widowhood from the infant age of one onwards. A comparison of the two census reports of 1921 and 1931 as well as of former decades shows very light improvement, if any. The improvement effected in this last decade is, however, not clearly brought out by the figures for the 1931 census as a large number of child marriages were celebrated immediately before the provisions of the Child Marriage Restraint Act became operative in 1930 so as to escape being penalised. Thus, while there were 9·2 married girls per 100 between the ages of 5 and 10 years in the year 1921, their proportion rose to 19·3 in 1931. In the age-group of 10 to 15 years, however, a slight improvement is noticeable, in spite of the rush to get married, the figures being 39·8 % in the year 1921 and 38·1 in 1931.

In the matter of early marriage there is not much

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difference between Hindus and Moslems; the practice is more or less common among both communities. The Christians and the Sikhs, however, are comparatively free from it. Provincially, its greatest rigour is to be found in the Central Provinces, Berar, Bengal, Bihar and Orissa and also in the United Provinces where it is equally practised by the Moslems and the Hindus. The Frontier Provinces are the least affected by it, the percentage of married girls there under the age of 15 being 12·6 in the year 1921. Next come the provinces of the Punjab, Madras and Assam. In the two latter it is customary among Moslems and non-Brahmans to allow their girls to remain unmarried till they attain puberty. In the Punjab the work of Swami Dayananda and the Arya Samaj has successfully moulded public opinion sufficiently to raise the average age of marriage.

The crusade against early marriage was started long ago. The abolition of this evil practice formed the very first item in the programme of the early social reformers. The movement is about 60 years old and has had very many powerful protagonists, the greatest among them being Swami Dayananda Sarasvati and Raja Rammohan Roy. Of late it has assumed great force. By those who have received an education affected by the West it is now considered to be beyond the pale of controversy.

The only educated and cultured people who still believe in early marriage are the orthodox Brahmins who support it on the ground of religion. They and their followers believe that they are bound by religion to give their girls in marriage before they attain puberty. According to them the mere ceremony of marriage, which alone must be performed before puberty, leads to no bad results. They maintain that it is the consummation of marriage and early maternity which ought to be avoided, and not the ceremony of marriage. In

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those parts of India where Moslems practise early marriages, many among them also have adopted the same views and the same arguments. Against all accepted theory and practice of Mahomedan Law they maintain that marriage among the Moslems is as much a sacrament as among the Hindus; that although there is nothing in the Holy Quran to enjoin early marriage on the Faithful, the practice is hallowed by the Prophet's own example who, according to their version, married Ayesha, his last wife when she was twelve. The number of Moslem Maulanas who are of this opinion is, however, small and it can easily be said that they have adopted this view merely to support an old practice to which they have got accustomed for centuries.

But the views of the orthodox Brahmans can not be dismissed so easily. They are based on the fact that among the Hindus marriage is a religious sacrament and as such has to be performed according to a certain prescribed ritual, which ritual, according to one view must be performed before puberty. Fortunately there is a sharp division amongst the Brahmans themselves. There is a large number of learned Shastris who claim that pre-puberty marriages are not enjoined by the Shastras. Many Shastrarthas (learned discussions among the Pandits) have taken place on this subject amongst learned theologians and different learned Pandits have come to different conclusions. This division of opinion has added great strength to the movement for the abolition of early marriage.

There is not a single person in India, not even amongst the most ignorant, who favours pre-puberty consummation of marriage. All look upon it with abhorrence and, indeed, as a custom it is not followed anywhere. Among all early marrying people a second ceremony is performed after which consummation takes place, which ceremony is known by different names in different places such as Dwiragaman, Gauna, Ritushanti,

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Garbhadan, Rukhsati, Doli and the like. The evidence taken by the Age of Consent Committee showed that this ceremony generally takes place soon after puberty. Sufficient time is not allowed to pass after puberty to allow the girl's body to mature properly and hence undesirably early maternity is the result.

Early marriage by itself without early consummation and early maternity is bad enough. Its psychological effects are harmful to the moral and intellectual growth of the race. It might have fitted in with the older scheme of life when the exigencies of the joint family required the early introduction of young and pliable girls into the family circle to be brought up according to the traditions of the family under the stern discipline of the mother-in-law. In the changed economic and social structure, however, it is an utter misfit and serves no useful purpose. But the results are disastrous when early marriage is followed by early motherhood as generally happens in India.

There are no figures to show to what extent early maternity is prevalent. But there is plenty of evidence indicating that maternity at the age of 14 and 15 is not uncommon. Coupled with the poverty and malnutrition of the masses it leads to abnormally high maternal and infant mortality of which it is admittedly one of the great contributory factors. We have no accurate figures of maternal mortality in our country but, on an average, 200,000 women die in child birth every year. The figures of infant mortality go up as high as 400 per 1000 in some places, the average in the whole of India being 181 per 1000. The enormity of these figures can be brought home if it is realized that according to a rough calculation the maternal mortality in India is estimated to be 24.5 per thousand while in England it is only 4.5. In the same way the figures of infant mortality are 60 per mille in England to our 400 in India. Most of the victims of maternal mortality

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are young girls in their teens and many who escape death are physically damaged for life. If early marriage and early maternity are abolished this appalling wastage of young human life can be considerably reduced; so also can the misery of a widowed life which is the fate of many young girls. The right of a second marriage which all Shudra women enjoy is really no remedy for the affliction of widowhood.

The policy of the Government of India has been one of strict religious neutrality to which they are pledged by the proclamation of Queen Victoria, which says "In framing and administering laws due regard be paid to ancient rites, usages and customs of India." Marriage laws and practices being governed by religion Government have abstained from interfering with them. But as early as 1860 when the Indian Penal Code was enacted, sexual intercourse of the husband with his own wife below the age of 10 was brought within the definition of rape and was made punishable exactly on the same terms as rape outside the marital relationship. This was an indirect method adopted by the Government to prevent bad cases of cruelty. About 1891 the attention of the Government and the public was drawn towards several cases in Bengal which were brought to light where girls of tender years either died or were mutilated as a result of consummation of marriage, and it was proposed to raise the age of consent within marriage from 10 to 12. This proposal was widely opposed throughout India but both the Government and the advanced public took a firm stand and the bill was passed. Sir Andrew Scoble, the sponsor of the bill met the objections raised on the basis of religious neutrality on the ground that it was "the right and the duty of the State to interfere for the protection of any class of its subjects where a proved necessity existed."

Great hopes were entertained from this Act but experience proved that it remained ineffective. It was

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not surprising that the law did not work. The difficulties of administration lay inherent in the law itself. The problem of early marriage could not be dealt with by flank attacks of this kind. It was bound to fail and so it did. A few stray prosecutions did take place under the Act but generally its very existence was unknown to the public. Barring a few lawyers nobody even knew that such a law existed and when in 1925 the age of consent was raised to 13 years, the general public remained as oblivious of the fact as before.

After the constitutional reforms of 1919 the popular element was increased in the legislative councils. It was generally felt that the help of the legislatures ought to be obtained to abolish the custom. With this object in view many private bills were introduced into the legislative assembly to raise the age of consent as well as to prohibit child marriages by law. It was in dealing with these private bills that, in the year 1928, Government appointed a committee to go into the question of the age of consent inside the marital state as well as outside it. The Government, being a foreign Government, was unwilling to take the responsibility of enacting a law which affected the religious susceptibilities of the people. The exhaustive evidence taken by this committee showed however that there was a preponderating bulk of opinion in favour of such an enactment. As a result of the report of this committee, after a great deal of discussion and debate the Child Marriage Restraint Act, sponsored by Rao Bahadur Harbilas Sarda was passed by the Legislative Assembly in 1929, and was brought into force on the 1st of April, 1930. The Act penalises all marriages below the age of 14 for girls and 18 for boys. The husband, if of age, the parents or the guardians of the couple, the priest who celebrates the marriage, are all liable to imprisonment or fine or both.

There was stiff opposition put up by a section of the Moslems and the Brahmins and in the beginning a

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certain amount of deliberate defiance of the law was resorted to. Unfortunately the passing of this law synchronised with the Civil Disobedience Movement of 1930-31 and the Government at that time could not afford to create trouble for itself by rigorously applying the law and incurring the displeasure of that very ultra-conservative section of the population on whose support it relied. The Government therefore slept over the breaches of the law and in the stray cases in which prosecutions were initiated, it is understood that Government instructions were issued to the magistracy for lenient treatment of the culprits.

Thus the Act had a very unfortunate beginning and it is common knowledge that even now it is honoured more in the breach than the observance. In the villages the illiterate masses are blissfully unaware of the existence of such a law and infant marriages take place every day as a matter of course. In the towns some flout the law deliberately, others who are more law-abiding adopt the device of crossing over to neighbouring Indian States or foreign territory where such a law does not exist and thus evade the Act. But the bulk of the breaches of the law take place in British India without being noticed.

It must not be deduced from this, however, that the Act is absolutely a dead letter. Prosecutions under the Act are common though they form an insignificant part of the breaches of the law. Cases of such prosecutions are reported almost daily in the press. Social reformers have organised Sarda Committees for the purpose of making the law effective in many parts of the country. These Committees carry on their work unostentatiously but have to work against great odds. For the public social conscience is not sufficiently aroused to help them nor do they anywhere have the support of Government. As an example of the difficulties that have to be faced, I may quote a case that

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occurred in the Punjab only last year. A small but vigorous and alert organisation of the Harijans succeeded in securing after a great deal of expense and trouble a conviction in a prosecution against a village leather worker who had married his daughters of 7 and 9 years of age to two boys of about 11 and 12 after repeated warnings and regular preachings from the members of this association. The association is an organisation of the enlightened Harijans pledged to reform. They are poor and can ill afford to spend money. But such was the desire for reform that the members spent money beyond their means and fought the case. The trying magistrate convicted the guilty but the sentence was a fine of five rupees! The effect of such a sentence on the work of reform can easily be imagined. Such instances could be multiplied indefinitely. They show a spirit of apathy if not of antipathy, towards the reformer on the part of Government.

Apart from the difficulty of getting offenders adequately punished the Act itself has been found in its working to be defective in many ways. It needs certain amendments badly. At present no action can be taken under the law to prevent its breach. Prevention is always better than punishment. Much more beneficent action could be taken if there were power to prevent under-age marriages. It is therefore very necessary that the power of injunction be given to magistrates to prevent proposed marriages against the law. In the Bombay Presidency Civil Courts in many cases have been known to have issued injunctions to prevent the celebration of marriages proposed to be held in contravention of the law. But even there, it is held doubtful whether the right of issuing injunction is within the jurisdiction of these courts. It is therefore very necessary that this doubt is removed by law.

When the Age of Consent Committee recommended the fixing of the age of marriage by law, they also

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recommended certain other measures to facilitate the working of the law :—

(i) The most important recommendation made by the committee was that wide publicity should be given by Government to the sanctions of the Act so that the masses should get familiar with its existence. The mere enactment of a social measure like the one in question is not sufficient to make it effective. The Act must be deliberately worked and the first thing necessary for the working of the law is that the masses should know through Government channels that such a law exists and that Government mean to enforce it. The very fact of Government officials giving publicity to the contents of the law will have a salutary influence on the villagers. They will begin to think twice before they have the courage to break it.

(ii) The registration of marriages was another important recommendation made by the Committee. The very necessity of approaching an official Registrar for registering a marriage against the provisions of the law is bound to act as a check. The Registrar can also utilise these occasions for doing propaganda for the law and, as was recommended by the Committee, can report breaches of the law to the nearest magistrate. I know for a fact that the prosecutors of the breaches of this law have found it difficult in many cases to prove the very fact of marriage. They have not been able to secure sufficient witnesses for lack of public sympathy. This difficulty could easily be avoided by making registration compulsory.

(iii) Another recommendation made by the Committee was that proper registration of births in rural as well as urban areas should be made compulsory and birth certificates should be issued to the parents giving the name and all other details of the child. A sort of birth registration is enforced at the present time but it is so inefficient that it can hardly ever be relied upon.

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To prove the age of an individual definitely is an exceedingly difficult task. Many prosecutions have been wrecked because the age could not be proved. The birth registers have almost always failed to come to the rescue especially in rural areas. To facilitate the working of the law efficient registration of births and the preservation of birth registers is most essential.

(iv) The writer of this note as a member of the Committee had recommended the association with Government of social reform organisations for the working of this law. She had recommended that such organisations wherever they existed should be recognised by Government and linked up with local bodies. They should be given facilities for prosecution and propaganda and made to submit periodical reports of their work to the authorities.

Unfortunately none of the recommendations made by the Committee have been given effect to. The law has merely been passed, placed on the statute book and left to work out its own destiny.

In the course of my public work during the last two or three years I have had ample opportunity to watch how difficult the task of the reformer has been in the rural areas. He has plied a lonely furrow, fighting public opposition and Government apathy at the same time. The Child Marriage Restraint Act has been passed with the willing co-operation of Government. In this matter there is perfect agreement between Government and the educated section of the people. It is therefore most desirable that at least for the operation of this law a happy co-ordination should subsist between the two. The best results can only be achieved if and when the public and Government work together. If a Kemal Pasha could bring about a social revolution in the course of a few years, why cannot the Indian people and the Government of India abolish a time-worn custom which is admitted by all to be an evil? All that is

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needed is the combination and co-operation of the two great forces of the Government and the people. If that could have been genuinely and truly secured, much could have been achieved during the five years that have elapsed since the passing of the Act. Is it too much to hope that in the future, if not in the past this union will be secured?

## THE HINDU WIDOW

By CHANDRAWATI LAKHANPAL

### I

#### *A Century Ago*

Few there are who know to-day that a century ago the deliberate cold-blooded murder of the Hindu widow was not only an act which had the sanction of the law of the land behind it but also one considered of highest merit both for the murderer and his willing or unwilling prey. Thousands of sorrow-stricken maidens, blooming with beauty and youth, whose husbands had been snatched away by the cruel hands of fate were forced to march on to the burning pyre to reduce their mortal frames to dust and ashes. The unfortunate victim thus consigned to the flames was known as *Sati* and was universally admired by poets and philosophers, peasants and princes, high and low. The so-called authority of the *Shastras* coupled with the universal admiration which every act of self-immolation generally evokes gave an impetus to the ever growing number of *Satis*, voluntary or involuntary, so much so that the Marquis of Hastings wrote in reply to Lord Bentinck's enquiry that in one of the years during his administration of Government in India above 800 widows sacrificed themselves within the Provinces comprised in the Presidency of Bengal to which number, very many not notified to the magistrates were not added. The average number of *Satis* for the ten years prior to 1828 always stood above 600. The dreadful manner in which this outrage against humanity was committed was so obnoxious that one shudders to-

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day to think of the fate of the forlorn Hindu widow of a century ago. In the words of Raja Ram Mohan Roy who heroically led a crusade against this heinous sin a widow was burnt down along with the corpse of her husband and then such a quantity of wood was heaped upon her that she could not rise. At the time too of setting fire to the pile they pressed her down with large bamboos. The common practice was to drug the widow so that she could not resist her fate and in cases where the drugging happened to be not enough, or where, though the spirit was willing yet the flesh was weak, the unfortunate victims tried to escape from the pile after being partially burnt. The vile custom of burning the widow alive was so widely prevalent in this land of 'saints and sages' that many Government officials were afraid lest by legislating against this time-honoured religious practice they should so much disturb the mind of the masses as may result in a rebellion. In his minute dated November 8, 1829, Lord Bentinck wrote: "To consent to the consignment year after year of hundreds of innocent victims to a cruel and untimely end when the power exists of preventing it, is a predicament which no conscience can contemplate without horror. But, on the other hand, if heretofore received opinions are to be considered of any value, to put to hazard by a contrary course the very safety of the British Empire in India is an alternative which even in the light of humanity itself may be considered as a still greater evil." The ghastly spectacle of the dark and dreadful nights being lit with the burning flames arising out of the pyres to which youthful Hindu widows brimming all over with life were forcibly consigned by their own kith and kin was an event which could not but rock the very foundations of a healthy society, but a dying race that we were, we tolerated this day to day murder of innocent women without a qualm of conscience for centuries without interruption. It required

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the Herculean efforts of Lord William Bentinck to root out this heinous crime against the better-half of humanity and one can very well imagine how sick he must have felt when he wrote in his Minute: "With the firm undoubting conviction entertained upon this question, I should be guilty of little short of the crime of multiplied murder if I could hesitate in the performance of this solemn obligation. I have already been stung with this feeling. Everyday's delay adds a victim to the dreadful list, which might perhaps have been prevented by a more early submission of the present question."

So, one month after the Minute of Lord William Bentinck the Regulation known as No. XVII, dated December 4, 1829, was passed which declared the practice of *Sati*, or of burning or burying alive the widows of Hindus, illegal and punishable by Criminal Courts. The Regulation further declared that the practice was revolting to the feelings of human nature and nowhere enjoined by the religion of the people as an imperative duty. It went on to state that the previous efforts to deal with the evil had been barren of result and so the Government were forced to the conclusion that the only course left was to abolish the practice altogether. By this Regulation the practice of *Sati* was made a crime of culpable homicide punishable with fine or imprisonment, or with both.

Thus ended the first chapter in the sorrowful tale of the Hindu widow. She was rescued from the flames no doubt, but for twenty-seven years there was none to question her as to how she felt in her new life, far away from, and beyond the flames.

## II

### *The Act XV of 1856*

The longing for life is so ingrained in our being that a prisoner who is condemned to death appeals for his

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sentence to be commuted to transportation for life, little knowing the hardships it will entail upon him. But when stern realities face the prisoner and he has to trudge along the 20 years of life-sentence receiving insults and injuries every day, he frets for the angel of death to shelter him under cover of its wings, and to give him eternal rest. Somewhat similar has been the fate of the Hindu widow. She was rescued from the flames and was condemned to undergo her life-sentence of rigorous imprisonment. A widow was not to die; she had to spend the rest of her life with her head shaved, her arms bared, her clothes unwashed, an outcaste and an untouchable on festive occasions, a bad omen, a detestable creature to be kicked, shunned and abused and worse than a servant. No wonder that faced with such an alternative many a widow has eagerly embraced the flames and become a *Sati* in spite of the law prohibiting it!

The rescued widow was denied all home comforts and was doomed to a life of forced servility in the family in which, during the lifetime of her husband, she most probably ruled as a queen. In the words of Behramji Malabari, a staunch advocate of widow-remarriage, *Sati* was one single act of martyrdom or heroism, as the victim conceived it, and an act of religious merit as popularly believed, while the life which caste imposed on an unwilling widow was a perpetual agony, a burning to death by slow fire, without any chastening or elevating effect on the sufferer or any moral advantage to the community at large by way of compensation.

The hindrance to the remarriage of widows were the *Shastras* which nobody had read but everybody was quoting. It was Ishwarchandra Vidyasagar of Bengal who first of all drew the attention of the public to the fact that widow-remarriage was in consonance with the teachings of the *Shastras*. Prior to him everyone thought that the custom of enforced widowhood was ordained by the sacred writings of the Hindus and none worried to

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turn over the pages of the *Shastras* which they thought prohibited widows to remarry. Ishwarchandra Vidyasagar brought out a pamphlet on "Marriage of Hindu Widows" in 1855 and proved by quoting chapter and verse from the sacred writings that the *Smritis* were too liberal for the orthodox, for the *Parashara Sanhita* which was the code to be followed in the Kaliyuga openly declared: "on receiving no tidings of a husband, on his demise, on his turning an ascetic, on his being found impotent or on his degradation under any one of these five calamities, it is canonical for women to take another husband." The result of the agitation led by Ishwarchandra Vidyasagar was that the then Government of India introduced a bill in its Legislative Council to remove all legal obstacles to the marriage of Hindu widows and after opposition tooth and nail from the orthodox passed it into an Act, which is now known as Act XV of 1856. Describing the opposition to the Bill the Hon'ble Sir J. P. Grant, the author of this Bill, said: "There were upwards of 40 petitions against the Bill signed by from 50 to 60 thousand persons, while there were 25 petitions, bearing 5000 signatures, in favour of the Bill." In spite of such a formidable opposition,—only 5 thousand favouring and 60 thousand opposing it,—the measure was adopted and passed into law. The Act which was passed on the 25th of July, 1856, and is known as the Hindu widow Remarriage Act runs as follows:—

"Whereas it is known that, by the law as administered in the Civil Courts established in the territories in the possession and under the Government of the East India Company, Hindu widows, with certain exceptions, are held to be, by reason of their having been once married, incapable of contracting a second valid marriage, and the offspring of such widows by any second marriage are held to be illegitimate and incapable of inheriting property: and whereas many Hindus believe that this

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imputed legal incapacity, although it is in accordance with established custom, is not in accordance with a true interpretation of the precepts of their religion, and desire that the civil law administered by the Courts of Justice shall no longer prevent those Hindus who may be so minded from adopting a different custom, in accordance with the dictates of their own consciences: and whereas it is just to relieve all such Hindus from this legal incapacity of which they complain: and the removal of all legal obstacles to the marriage of Hindu widows will tend to the promotion of good morals and to the public welfare: It is enacted as follows:—

“No marriage contracted between Hindus shall be invalid, and the issue of no such marriage shall be illegitimate, by reason of the woman having been previously married or betrothed to another person who was dead at the time of such marriage, any custom and any interpretation of Hindu Law to the contrary notwithstanding.

“All rights and interests which any widow may have in her deceased husband’s property by way of maintenance, or by inheritance to her husband or to his lineal successors or by virtue of any will or testamentary disposition conferring upon her, without express permission to remarry, only a limited interest in such property, with no power of alienating the same, shall, upon her remarriage, cease and determine as if she had then died; and the next heirs or her deceased husband, or other persons entitled to the property on her death, shall thereupon succeed to the same.

“On the remarriage of a Hindu widow, if neither the widow nor any other person has been expressly constituted by the will or testamentary disposition of the deceased husband, the guardian of his children the father or paternal grandfather, or the mother or paternal grandmother, of the deceased husband, or any male relative of the deceased husband, may petition the highest court having original jurisdiction in civil cases in the

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place where the deceased husband was domiciled at the time of his death for the appointment of some proper person to be guardian of the said children, and thereupon it shall be lawful for the said court, if it shall think fit, to appoint such guardian, who, when appointed, shall be entitled to have the care and custody of the said children, or of any of them, during their minority, in the place of their mother, and in making such appointment the court shall be guided, so far as may be, by the laws and rules in force touching the guardianship of children who have neither father nor mother. Provided that, when the said children have not property of their own sufficient for their support and proper education whilst minors, no such appointment shall be made otherwise than with the consent of the mother, unless the proposed guardian shall have given security for the support and proper education of the children whilst minors.

“Nothing in this Act contained shall be construed to render any widow, who, at the time of the death of any person leaving any property, is a childless widow, capable of inheriting the whole or any share of such property, if, before the passing of this Act, she would have been incapable of inheriting the same by reason of her being a childless widow.

“Except as in the three preceding sections is provided, a widow shall not by reason of her remarriage, forfeit any property, or any right to which she would otherwise be entitled; and every widow who has remarried shall have the same rights of inheritance as she would have had, had such marriage been her first marriage.

“Whatever words spoken, ceremonies performed, or engagements made, on the marriage of a Hindu female who has not been previously married, are sufficient to constitute a valid marriage, shall have the same effect, if spoken, performed, or made on the marriage of a Hindu widow; and no marriage shall be declared invalid on the

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ground that such words, ceremonies, or engagements are inapplicable to the case of a widow.

"If the widow remarrying is a minor whose marriage has not been consummated, she shall not remarry without the consent of her father, or if she has no father, of her paternal grandfather, or if she has no such grandfather, of her mother, or failing all these, of her elder brother or failing also brothers, of her next male relative. All persons knowingly abetting a marriage made contrary to the provisions of this section shall be liable to imprisonment for any term not exceeding one year, or to fine, or to both. And all marriages contrary to the provisions of this section, may be declared void by a Court of law. Provided that, in any question regarding the validity of a marriage made contrary to the provisions of this section, such consent as is aforesaid shall be presumed until the contrary is proved, and that no such marriage shall be declared void after it has been consummated. In the case of a widow who is of full age, or whose marriage has been consummated, her own consent shall be sufficient consent to constitute her remarriage lawful and valid."

The Act enables Hindu widows to remarry but it has remained a dead letter ever since it was passed because the prejudice against widow-remarriage is so ingrained in the Hindu mind that a Hindu widow belonging to a superior caste would rather undergo the hardships consequent to her inevitable lot than bear the social stigma of being remarried. Unless the whole outlook of man towards woman is changed, the Hindu widow can scarcely think of remarriage as an eligible course for her. Though there is no legal obstacle in her way still the society in which she lives stubbornly opposes the very idea of a widow-remarriage and therefore in spite of the abolition of *Sati* and the passing of the law of widow-remarriage the lot of the Hindu widow did not improve and the second chapter of her woeful tale closed without

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effecting any material change in her condition.

### III

#### *Mr. Malabari's Note*

Twenty-seven years after the abolition of *Sati* the Widow-Remarriage Act was passed, and twenty-eight years after the passing of the Widow-Remarriage Act Mr. Beramji M. Malabari of Bombay addressed a Note to the Government inviting their attention to the problem of 'Enforced Widowhood' and requested them to take some active measures to improve the lot of the Hindu widow. The Note is dated the 15th August, 1884. It is both interesting as well as instructive to go through Mr. Malabari's Note and so I am culling out some important passages from the Note for the information of the reader. Mr. Malabari wrote: "To many it is a wonder that the world hears so little of the results of such social inequality. I believe this is so because woman is the sufferer. It is not in her nature to publish her wrongs, however great. A Hindu woman complains little. But that little, in the present case, is too much for those who know..... Hindu parents deplore no misfortune so much as they deplore the widowhood of a young daughter. But it is a common misfortune. And its consequences are generally so inevitable that exposure is a rare occurrence. When every village almost may be covering its shame, or may be in daily dread of having to do so, connivance is the only hope of the community. Direct evidence being nearly impossible in a suspected case, the policeman finds free scope for the exercise of mercy or cupidity, yet, how many cases of infanticide do we hear of every month? And these are only exceptional cases that come to be known. The unknown ones may be twenty times more. There is a regular system of free masonry maintained for the purpose which baffles detection.

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When all attempts fail, the mother's health is ruined for life, or she dies with the babe unborn."

"It is sometimes urged that enforced widowhood must be accepted as a necessary evil. If so, the question arises—is Hindu society reconciled to the evil? No; society is and has long been in revolt against this in-human custom. Educated young men, and many of the orthodox old, are anxious to be saved from its demoralising effect, if for no higher purpose, at least for their own interest. Why don't they, then, shake off the evil? Because the Hindu is hard to move; caste exercises overpowering influence; caste is more potent in its secret persecution than was the inquisition of Spain. Not only are the offending couple excommunicated, but their relations and friends too may become out-castes henceforth and for ever (unless they can afford to buy re-admission) in life and in death. They are shunned like a moral plague. No European can have an idea of the operation of this dread award: it is more bitter than the bitterness of death.

"Now my contention is—Has caste the power to punish an act which the State recognises as legal and natural, and for which, in fact, the State has presumably rescued the widow from the flames? The plea as to remarriage of all widows being forbidden by the *Shastras* has long been known to be untenable. The only rational objection that is urged against remarriage is based on the theory of over population. But all remarried couples do not necessarily transgress the laws of population. Caste has no objection to the widower marrying again, as often as he likes, and more women than one at a time if he so wishes. Its cold-blooded philosophy is reserved only for the woman who has lost her husband, that is her all in life. Here, then, is a conflict between State and caste. Who is stronger?

Mr. Malabari suggested that let the Government rule:

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(i) That no Hindu girl, who has lost her husband or her betrothed, if she is a minor, shall be condemned to life-long widowhood against her will.

(ii) That arrangements may be made, in suspected cases, to ascertain whether a widow has adopted perpetual seclusion voluntarily or whether it has been forced upon her.

(iii) That every widow, of whatever age, shall have the right to complain to the authorities of social ill-usage (over and above excommunication), and that proper facilities shall be afforded her for the purpose, such as the gratuitous service of counsel, exemption from stamp duty, attendance at court and so on.

(iv) That the priest has no right to excommunicate the relations and connections of the parties contracting second marriage, besides excommunicating the principals.

Mr. Malabari's Note was forwarded by the Government of India to the Governments of different Provinces to elicit public opinion and upon the opinions received the following resolution was passed :

"In dealing with such subjects as those raised in Mr. Malabari's Notes, the British Government in India has usually been guided by certain general principles. For instance, when caste or custom enjoins a practice which involves a breach of the ordinary criminal law, the State will enforce the law. When caste or custom lays down a rule which is of its nature enforceable in the Civil Courts, but is clearly opposed to morality or public policy, the State will decline to enforce it. When caste or custom as are usually left to the option of citizens, and which does not need the aid of Civil or Criminal Courts for its enforcement, State interference is not considered either desirable or expedient.

"In the application of such general principles to particular cases, there is doubtless room for differences of opinion; but there is one commonsense test which

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may often be applied with advantage in considering whether the State should or should not interfere in its legislative or executive capacity with social or religious questions of the kind now under notice. The test is, 'Can the State give effect to its commands by the ordinary machinery at its disposal?' If not, it is desirable that the State should abstain from making a rule which it cannot enforce without a departure from its usual practice or procedure.

"If this test be applied in the present case, the reasons will be apparent why His Excellency in Council considers that interference by the State is undesirable, and that the reforms advocated by Mr. Malabari, which affect the social customs of many races with probably as many points of difference as of agreement, must be left to the improving influences of time, and to the gradual operation of the mental and moral development of the people by the spread of education.

"It is true that the British Government in India has by its legislation set up a standard of morality independent of, and in some material respects differing from, the standard set up by caste; and it may be that the former standard has had some beneficial effect in influencing native customs, practices and modes of thought. But legislation, though it may be didactic in its effect, should not be undertaken for merely didactic purposes; and in the competition of influence between legislation on the one hand, and caste or custom on the other, the condition of success on the part of the former is that the Legislature should keep within its natural boundaries, and should not, by overstepping those boundaries, place itself in direct antagonism to social opinion.

"Of the suggestions made in the course of the voluminous correspondence quoted in the preamble, the only two which do not seem to the Government of India to be open to serious objection on grounds of

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principle are (1) the amendment of section 2 of Act XV of 1856 as to the forfeiture of property of a widow on remarriage; and (2) the supply of machinery by which a Hindu widow, who fails to obtain the consent of her caste fellows to her remarriage, may nevertheless marry without renouncing her religion.

"But although there is much to be said in favour of each of these suggestions, the Governor-General in Council as at present advised, would prefer not to interfere, even to the limited extent proposed, by the legislative action until sufficient proof is forthcoming that legislation is required to meet a serious practical evil, and that such legislation has been asked for by a section, important in influence or number, of the Hindu community itself."

So, Mr. Malabari's efforts proved a cry in the wilderness and fell upon deaf ears. One Mr. S. H. Chiplonkar, C. S. I. of Poona grew so furious against Mr. Malabari that he wrote to the Government: "I know that neither Mr. Malabari nor the Government who undertook to circulate his Notes among Hindu gentlemen for the responsible expression of their opinion had the remotest idea of insulting the feelings of the community. But the result has none the less been the same. In short those insinuations are a gratuitous and unmitigated libel upon the whole Hindu community, and, as a gentleman, Mr. Malabari must withdraw them unreservedly and express his regret for having circulated such a libel, and that too under the auspices of the Government. I am sure that, if Government had been fully aware of this circumstance, they would never have consented to become the medium of giving wider publicity to such a libel." What could poor Malabari do when the community which he had undertaken to reform adopted this attitude towards his Note and the result was that the widow remained as before, a creature fallen from the region of humanity for the fault of having

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lost her husband, which was not of her own making.

### IV

#### *Present Condition of Hindu Widows*

According to the census report of 1931 the number of widows of marriageable age was alarmingly high. I am giving below the number from the ages 1 to 25.

<i>Ages</i>	<i>Number of widows</i>				
0-1	..	..	..	..	1515
1-2	..	..	..	..	1785
2-3	..	..	..	..	3485
3-4	..	..	..	..	9076
4-5	..	..	..	..	15018
5-10	..	..	..	..	105449
10-15	..	..	..	..	183998
15-20	..	..	..	..	514394
20-25	..	..	..	..	846959

The compilers of the report add: "there has been a very remarkable increase in child widows particularly under the age of 5 years which can only be attributed to the rush of marriages anticipatory to the Sarda Act, a rush which it is to be feared will contribute large number of young widows to the figure of the 1941 census unless there is before then a very profound change of attitude towards widow remarriage in Hindu society generally."

But who can guarantee that? Fifty-one years have rolled away since Malabari's Note on "Enforced widowhood" was written and the widow still finds herself to-day lifted from the pyre, but left in the cremation ground. The doors of her house are still shut against her. She is an aimless wanderer finding no way out, lost in the labyrinths of social entanglements. Her life is a miserable failure. After the death of her husband her bangles are broken, her hair are cut and she is condemned to a life of forced austerity. In spite of the permissive Act enabling her to remarry she is not willing

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to take advantage of it because she has been born and bred up in ideas which have created an innate disgust in her for the very thought of remarriage. Hindu social structure is based upon inherent injustice in so much as it permits a widower with three-fourth of his body in the grave to marry a tiny little girl hardly out of her teens and forbids that very girl upon the death of her so-called husband to remarry. The standard used to judge a man is different from the one used to judge a woman. And because woman has been from her very infancy taught these ideas she finds it difficult to outgrow them. To improve the lot of the Hindu widow the social reformer will have to bring a new orientation in Society and change the outlook towards the women. Why on earth should a widow be regarded as having committed some sin the consequences of which she is said to be suffering in her life of widowhood, while the widower is not at all regarded as having committed any sin whatsoever. The event is similar—in one case the wife having lost her husband, and in the other the husband having lost his wife, but the results are poles asunder, the wife having lost her husband is regarded as having lost her all, while the husband having lost his wife is regarded as having lost nothing. If a wife should burn herself to ashes after the death of her husband why, I ask, in the name of justice and fair play, should not the husband also consign himself to the flames after the death of his wife. If the widow should break her bangles, cut her hair and lead a life of self-abnegation, why should not the widower also disfigure himself and spend the rest of his days in visiting holy places and practising austerities. Why after all should woman be chosen for all indignities and humiliations while man occupies his position in society as before. So long as such an injustice is permitted by the society, so long as woman is looked upon as an inferior being of the human race, so long as man

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does not receive sufficient education not to boast himself as the lord of all that lives, moves and has a being and last but not the least, so long as woman herself does not stir out of her age-long sleep of forgetfulness and ignorance, man will continue to tyrannise over the woman and the widow shall have to continue to shed her tears of helplessness and dismay.

Besides the change in the outlook of society towards woman,—which undoubtedly will go a long way in improving the condition of the widows and which is visible in the present generation due to the universal awakening we see all around us,—there are certain other measures which should necessarily be adopted both by the Hindu society and the Government with a view to attenuate the woes of widows. The Hindus should make up their mind once for all to remove this stigma of tyranny towards the widow and the Government should bestir themselves a little more warm-heartedly in extending their hands of protection over this ‘adopted daughter of the State.’ The talk of non-interference won’t do where the Government has been interfering from the very beginning and where the fate of millions of human beings is concerned. The social and customary laws of Hindus with respect to a widow are worse than the antiquated laws of slavery of the eighteenth century and it is upto any administration claiming for itself the position of a Government of civilized people, to put a stop to such inhuman treatment by setting into motion the machinery of the law. I am firmly of opinion that if the Hindu society and the Government work hand in hand, the woeful tale of the widow would soon become the story of the past. With a view to ameliorating the condition of the widows, the Hindus should try to educate public opinion by working somewhat on the following lines:

(1) They should hold large representative gatherings of Hindus of all denominations and pass resolutions

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encouraging widow-remarriage and condemning the ill-treatment the widows are generally subjected to. Such meetings should more frequently be held in provinces where the problem of widows is more acute.

(2) Widow rescue homes should be established all over India where honest and respectable persons should be put in charge and where work should be provided for widows unwilling to marry.

(3) Side by side with the establishment of such homes care should be taken to expose self-seeking and dishonest persons who exploit the public feeling by setting up so called rescue homes but which in reality are dens of shame and suffering.

(4) Societies should be established on the lines of Vidhava Vivah Sahayak Sabha of Lahore which should organise all the work outlined above.

The Government also should contribute their share in this philanthropic work on the following lines:

(1) Some member of the Legislative Assembly should draft a bill on the lines of the Note of Mr. Behramji Malabari and the Government should help the Bill through the Assembly and get it passed. Public opinion has changed considerably since the time of Malabari and I am confident that the Bill will have full public support.

(2) Government should give substantial grants to public bodies working on the lines suggested above.

(3) The cutting of hair of Hindu widows should be made illegal.

(4) The Act enabling Hindu widows to remarry should be translated in every Indian language and should be widely circulated.

(5) Compositions should be written and incorporated in vernacular text-books decrying the tendency to look upon widows as inferior or sinful beings.

(6) Schools should be opened where arrangements should be made for such education as may make the

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widows economically independent.

Some may argue that the question is not so important as may necessitate so much concentration of the efforts of the Hindu society as well as of the resources of the State, but ask 25,496,660 widows of India whether the question is important or not, for shall the voice of two crores and a half of God's children count for nothing and shall their destiny be ever moulded by those who know no duty but usurp all rights? The Hindu widow has been in mourning since the days of the practice of the *Sati*; shall she not be comforted? And who will comfort her? She was consigned to the flames and she did not shirk the ordeal. She was kicked, abused and maltreated and she did not move her tongue. Forbearance personified, she stands to-day to welcome her fate, good or ill. Centuries of endurance have bred in her a stoic indifference towards life and she lives and moves as though she were lost to the world. Who will fathom the depth of her heart which has ceased to feel because of having experienced extremest sorrows and sufferings. After all, she thinks, what greater calamity can befall her than that of being burnt alive by her very kith and kin. And that fate has been normal for her for centuries. So the widow does not seem at all concerned with how society deals with her. She has no thought of her future. She has let herself drift like a helpless straw on the ocean of time and is flowing with the current unmindful of where she goes. She has no hopes, no expectations and is prepared for the worst. This is the time for the Hindus' crucial test. Will the Hindu continue his cruel treatment towards the widow and be stigmatised as an inhuman being by the rest of the civilized people or will he rise to the occasion and prove to the world that he is really the descendant of the saints and sages who were the first harbingers of a new light to an ignorant world enveloped in darkness? It is not the widow but the Hindu

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community that stands to-day before the bar of public opinion for judgment. Will the community account for its sins against the widow? Will it undertake to heal the bleeding wound of her heart? Upon the answer to this question depends the future, not of the widow, for the widow sits unconcerned, but of the Hindu Community and its great and glorious civilization.

## DIVORCE IN INDIA

*By M. TATA LAM*

*Not one Law for all Communities*

There is no matrimonial law in British India applicable to the inhabitants generally. The Courts apply different laws to the several communities. In the case of Hindus, marriage is regarded as a sacrament and there is no right of divorce, although amongst low caste Hindus, divorce, usually of a most informal character is recognised by custom. In the case of Mahomedans marriage is a contract and divorce is allowed at the will of the husband by *Talak* (subject to certain exceptions). In the case of Christians and also in the case of Parsees the right to divorce is regulated by acts of the legislature.

*Khambatta v. Khambatta, 36 Bom. L. R. p. 17*

The rights and obligations of parties relating to the dissolution of the marriage do not form part of the marriage contract, but arise out of and are incidental to such contract, and are governed by the law of the domicile.

*Nachimson v. Nachimson, 1930 P. p. 217*

I propose therefore to deal with the law applicable to the four major communities in India *viz*: (1) Mahomedans, (2) Hindus, (3) Parsees and (4) Christians.

### MAHOMEDANS

Marriage amongst the Musalmans is simply a contract and not a sacrament and therefore can be dis-

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solved with ease. As a matter of fact the law errs on the other extreme, as a marriage can be dissolved at the will or even the whim of the husband on payment of the deferred dower, if any, by the husband. No legal formalities are generally necessary nor is it compulsory to pass any writing. Yet even though the husband has got absolute powers, the prophet has provided ample safeguards for the wife, which, if properly availed of would make the Musalman woman nearly as free as the husband in matters of divorce. For the wife can, at the time of marriage, or even thereafter in some cases, enter into a contract by which she may under certain circumstances obtain a divorce. The pity is that many women either through ignorance or a false sense of dignity, or, as will be explained later, because of economic dependence do not avail themselves of this advantage.

There are three different kinds of divorce in Mahomedan Law :—(1) at the will of the husband without the intervention of the Court, (2) by mutual consent of the husband and wife without the intervention of the Court and (3) by a judicial divorce at the instance of the wife. Except where the wife has entered into a contract she cannot divorce herself without her husband's consent, but she may obtain a judicial divorce under certain circumstances.

When the husband gives the divorce it is called *Talak*, when it is affected mutual consent it is called by *Mubarat*, when the offer of divorce proceeds from the wife, it is called *Khula*.

When the husband gives *Talak* it is not necessary that the wife should be present. He just says *Talak* once or three times as the case may be, and the separation is effected and complete on the expiration of the period of *Iddat*, i.e., the 3 months prescribed by the law to ascertain whether she is enceinte, so as to avoid confusion of parentage. *Talak* may be given in any

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one of three forms, e.g., *Talakabasan*, *Talak hasan* and *Talak badai*. In *Talak badai* the *Talak* becomes irrevocable immediately it is pronounced three times, without waiting for the period of *Iddat*. In the other two forms it is revocable till the completion of the period, and may be revoked either expressly or impliedly by the husband resuming cohabitation.

Where an agreement is made before marriage by which it is provided that the wife should be at liberty to divorce herself in specified contingencies such a contract is valid, if the conditions are of a reasonable nature and are not opposed to the policy of the Mahomedan Law. On the happening of the specified contingency the wife may repudiate herself without the husband's consent, and the divorce becomes effective as if it had been pronounced by the husband. It seems the wife can retain her dower in this form of divorce.

According to the "Khula" form of divorce the wife gives consideration to her husband to release her from the marriage tie in case there is aversion. Generally the wife releases the husband from the payment of her deferred dower or makes any other provision for the benefit of the husband. On the husband accepting or agreeing to accept the consideration, the divorce becomes irrevocable. If the wife fails to pay the consideration, a suit will lie against her at the instance of the husband.

Where a woman enters into an agreement with her husband by which the husband authorizes her to divorce herself in the event of his marrying a second wife without her consent, she may do so on his taking a second wife. It is not necessary for her to exercise her option the very moment she hears the news. The second marriage is not a single but a continuing wrong to the first wife, and therefore she has a continuing right to exercise that power.

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*Ayat-un-nisa Bibi v. Karam Ali, 36 Cal., p. 23*

*A* enters into a marriage with *B* by which it is provided that *A* should pay *B* her dower on demand, not ill-treat her, and allow her to visit her parents four times a year; that if he committed a breach of the conditions, *B* should have the right of divorcing herself from *A*. Sometime after the marriage *B* alleging cruelty and non-payment of dower divorces herself, the divorce was held to be valid as the terms were of a reasonable nature and were not opposed to the principles of Mahomedan Law. In this case the husband sued for restitution of conjugal rights, but it was held he was not entitled thereto as the divorce had become irrevocable.

*Hamidulla v. Faiz-un-nisa, 8 Cal., p. 327*

The husband may also grant *Talak-i-tafwiz*, i.e., he may delegate the power of divorce either to a third person or even to the wife herself, and she may exercise the option of repudiation within the time specified by the husband. Such a divorce though it is in form a divorce of the husband by the wife, operates in law as a *Talak* of the wife by the husband. Power of delegation once given is not revocable; it may be immediate or postponed, conditional or contingent, and even a suit for restitution of conjugal right does not operate as a revocation.

*Zainuddin v. Latif-un-nisa Bibi, 46 Cal., p. 141*

Where the aversion is mutual and both sides desire separation the transaction is called *Mubarat*. The divorce may proceed from either party but once it is accepted it becomes irrevocable. As in *Talak*, the wife is bound to observe *Iddat* in *Khula* and *Mubarat*.

Both in *Khula* and *Mubarat*, unless otherwise agreed upon the wife must release her dower, but the husband is bound to maintain her during her period of *Iddat*

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and to maintain his children by her.

Apostasy from Islam of either party to the marriage also effects an immediate and irrevocable dissolution of the marriage, and either party to the contract is free to marry again, and that second marriage would not be bigamous. But where a woman of another faith embraces Islam, she cannot marry again in the life-time of her original spouse without her being given the option of being a convert to Islam, and if he refuses, she has to apply to a court of law for obtaining a declaration that the former marriage has been dissolved; otherwise such second marriages have been held to be bigamous.

*In the matter of Ramkumari 18, Cal. 264; Mahatab-un-nisa v. Rifatulla and Ors. 1925, A. I. R. Allahabad, p. 474*

Apostasy does not affect that party's right of inheritance or other rights now since the Religious Disabilities Removal Act.

### JUDICIAL DIVORCE AT THE SUIT OF THE WIFE LI'AN OR IMPRECATION

The wife is also entitled to sue for a divorce on the ground that her husband has charged her with adultery. If the charge is proved to be false she is entitled to a decree, but not if it is proved to be true. The marriage continues till the decree is passed.

### IMPOTENCE

The wife is entitled to apply to the Court for dissolution of the marriage on the ground of her husband's continued impotence, from the time of her marriage, provided that she was not aware of it before marriage. If a year elapses and no intercourse takes place, the marriage will be dissolved by the Court. On such a dissolution the wife is entitled to the whole of her dower and need not observe the period of *Iddat*.

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The wife is not entitled to claim a judicial divorce under the Hanafi School of Law on any other ground, such as conjugal infidelity on the husband's part, cruelty or inability to maintain her. But the Shia and the Shafi Law allow the Court to annul the marriage on some further grounds, such as insanity of either spouse, leprosy of the wife, physical defects of the wife, hampering consummation; also where the husband is a eunuch, or on the ground of the husband's inability to maintain his wife.

### RIGHTS OF THE PARTIES ON DIVORCE

A man is bound to maintain his wife during the period of *Iddat* but he is not liable for her maintenance thereafter. On divorce the wife is free to marry again after completion of the period of *Iddat* if the marriage has been consummated, or immediately if it has not. She is entitled to be paid her deferred dower immediately and is entitled to inherit to the husband until the divorce becomes irrevocable.

Where the husband has divorced his wife by three pronouncements, it is not lawful for him to marry her again, until she has married another man and been divorced by him. In all other cases the divorced parties may remarry as if there had been no divorce.

The fact that after the period of *Iddat* is over no more maintenance is payable to a wife, may be one of the reasons why the women do not avail themselves of the right of divorcing themselves, for, unless they have means of their own, they are likely to be thrown on the streets, as the social custom of the country enforces a more or less strict *purdah* which makes it very hard for her to go out and earn her living.

When we consider the other systems of law both in Europe and in India, we see that, in spite of many defects, the Mahomedan system of law is essentially based on practical common sense as it gives very great freedom

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to the woman in matters of marriage and divorce. She is entirely free to marry again as soon as her period of *Iddat* is over. There is no restriction on widows as there is amongst the Hindus, and she is also entitled to a share in the property.

### CUSTODY

The mother is entitled under the Hanafi Law to the custody of her male child until he has completed the age of seven years and her female child until she attains puberty. This right continues though she is divorced from the father of the child, unless she marries a second husband, in which case the custody belongs to the father. Under the Shia Law she is only entitled to custody of a male child until he attains two years and female child until seven years.

### OPTION OF PUBERTY

Closely connected with the subject of divorce is the right which the Mahomedan girl possesses, known as "Khyar-ul-bulugh" or the "option of puberty." It is a good safeguard and is very often exercised. Where a marriage of a minor girl is contracted by any guardian other than the father or father's father, the minor has the option of repudiating the marriage on attaining puberty. The minor has no right to do so where the marriage has been contracted by her father or father's father, they being natural guardians, unless they have acted fraudulently or negligently or married her to a lunatic, or the marriage is to the manifest disadvantage of the minor.

This very wholesome safeguard has been designed in order not to force an unwilling girl, who is generally married before puberty according to custom, into a marriage which is wholly obnoxious to her. The option must be exercised without reasonable delay after attaining puberty and the repudiation must be confirmed

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by a decree of the Court.

### MARRIAGE OF A MAHOMEDAN WITH A FOREIGNER

A marriage solemnized in England according to English Law at the Registrar's Office in London between a Mahomedan domiciled in India and an English woman domiciled in England cannot be dissolved by the husband by a *Talaknama* (Bill of Divorcement), although that would be an appropriate mode of effecting the dissolution of a Mahomedan marriage under Mahomedan Law, the reason being that the Registry marriage was a "Christian Marriage," by which is meant the voluntary union for life of one man and one woman to the exclusion of all others and therefore it was not a marriage which could be dissolved according to Mahomedan Law. A Mahomedan marriage being a polygamous marriage, is, according to the English Law, no marriage at all.

*Rex v. Hammersmith, Superintendent Registrar of Marriages, 1917, 1 King's Bench, p. 634*

In another similar suit it was held that, because the Christian woman after coming to India chose to adopt the Mahomedan religion, the husband could thereupon give her a divorce by *Talak* and a subsequent marriage with a Parsee was therefore valid. The soundness of this decision however has been doubted by many eminent lawyers.

*Khambatta v. Khambatta, 1934, 36 Bom. L. R., p. 11*

### HINDUS

Marriage according to the Hindu Law is a sacrament and therefore creates an indissoluble tie between husband and wife. According to the Hindu notion marriages are made in heaven and therefore even after the husband dies that tie must be kept up, and hence

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widow remarriage is disallowed. A fortiori therefore divorce is a thing unknown to the scriptures. Yet, in the course of time customs arose by which amongst the lower castes at least, it was possible for the wife to get a release by means of what is known as *Fargati* or *Chor-Chithi*. We must remember that the restriction applies to a woman only. Under the Hindu Law a man is always free to marry any number of wives or to give up his former wife and merely pay her maintenance. But it is not possible to get a release from the marriage tie on any account. The man may be a lunatic or a leper or however repulsive otherwise he may be to the wife, she could not get any relief; and if she left him without just cause (his infirmities not being classed amongst just causes) she would be deprived even of the maintenance she would have otherwise got.

For a wife's first duty to her husband is to submit obediently to his authority and to remain under his roof and protection. Neither unkindness not amounting to cruelty, nor the fact that the husband has taken a second wife justify her in leaving the house. Cruelty such as would endanger her personal safety entitles her to live apart. Even an agreement enabling the wife to avoid a marriage or to live separate from her husband if he marries another wife is void. Such an agreement is against public policy and contrary to the spirit of Hindu Law. An agreement of this kind is no answer to a suit for restitution of conjugal rights by a husband against his wife. Thus we see how different is the spirit of the Hindu Law from that of the Mahomedan Law and how far it lags behind. Here, under no circumstances, is the woman ever to be free from the marriage tie. Cruelty and desertion on the part of the husband only entitle her to separate maintenance, and not to a dissolution of the marriage tie.

The pity of it is that in this country young girls are married by their parents very often for money

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and other considerations, before they have even attained puberty and before they can exercise any choice of their own and they have to suffer for the sins of omission and commission of their parents and guardians. Just as in the case of a mortgage the lawyers say "Once a mortgage, always a mortgage,"—we may say with greater force and truth that in Hindu Law it is "Once a marriage always a marriage" (At least for the woman).

Amongst the lowest castes, notably among a class of Sudras, it is a common custom for the wife to pay money to the husband for being released from her marriage obligations when she wants to be free. If the *panchayat* of the caste agrees to the dissolution, she is free to marry again, or the husband may of his own accord give her a *Fargati* which would dissolve the marriage.

Thus we see how the force of circumstances can circumvent the letter of the law.

"Marriage having taken place it would seem as if the right of divorce was, in general by the Hindu Law, not competent to the wife unless by custom." *Strange's Hindu Law*.

But though divorce is allowed by custom in these castes, the courts, at least in the Bombay Presidency have refused to recognise this custom as valid, as being against public policy. So it has been held that a caste custom which permits a woman to desert her husband at her pleasure and marry again without his consent is void for immorality, and it has been doubted by the same Court whether the custom would be valid even if it allowed her to marry with his consent.

*Narayan v. Laving* (1877) 2 Bom. 140

*Khemker v. Umiashanker* 10 Bom., H. C. 381

Again a custom which permits a dissolution of the marriage tie by the *panchayat* is void as being opposed to public policy.

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*Emperor v. Bai Ganga* (1917) 19 Bom. L. R. 56

Other courts however do not follow these decisions.

Conversion amongst the Hindus does not *ipso facto* effect a dissolution of the marriage as amongst the Mahomedans. The marriage still subsists, but under the Native Converts' Marriage Dissolution Act of 1866, a Hindu converted to Christianity may apply to the Court for a dissolution of the marriage with his spouse, and the Court will pass a decree dissolving it. But if the decree is passed at the instance of the husband, the Court will order him to pay maintenance to his wife for her life or upto the time of her remarriage. This act it is to be noted applies to Hindu converts to Christianity only. It does not apply to Christians, Mahomedans or Jews, nor to Hindu converts to faiths other than Christianity. Thus it has been held in a case that a Hindu married woman converted to Islam could not remarry. Conversion to Islam alone would not dissolve her marriage, as apostasy is no ground for dissolution amongst Hindus. Her second marriage was held void and she was deemed to have committed bigamy.

*In the matter of Ram Kumari*, 18 Cal., p. 264

Further the Indian Divorce Act provides *inter alia* for dissolution of marriage only in cases where the petitioner or respondent professes the Christian religion. There is a conflict of opinion whether the Indian Divorce Act applies only to monogamous marriages such as Christian marriages, or also to polygamous marriages as a Hindu marriage where one of the parties being the petitioner is a Christian Convert. A and B are married by Hindu rites. A and B subsequently become Christians. A applies to the Court for dissolution of the Marriage on the ground that his wife is guilty of adultery. Is A entitled to relief under

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the Act? It has been held by the Calcutta High Court he is—as he was a Christian at the time of his presentation of the petition; by the Madras and Bombay High Courts he is not, as the act applies to monogamous marriages only and therefore the Court has no jurisdiction to entertain A's petition under the Act.

*Hobhardhan v. Jusadamoni, 18 Cal., p. 252*

*Periyanaya Kam v. Pottu Kanni, 14 Mad., p. 382*

## PARSEES

The Parsees are at present governed in matters of Divorce by the Parsee Marriage and Divorce Act of 1865. This Act with very slight changes follows the English Law as it existed then on the subject.

Under this Act a marriage is a valid marriage only if it is celebrated by priests and an Ashirvad ceremony has been performed. Therefore Registry Office marriages would not be recognised under this Act. A special Parsee Matrimonial Court has been set up with a Judge and delegates. The idea is to set up a domestic tribunal with a Judge and delegates to deal with matrimonial cases. The system of delegates has been severely criticised by many persons, but short of abolition nothing better has been suggested.

Before 1865 Parsees had no Matrimonial Laws of their own; living in India they used to follow the customs of the people of the country, and polygamy was prevalent. Since 1865, however, marriage with another woman in the life-time of the other spouse, without obtaining a divorce, is bigamy and punishable as such.

Divorce may be obtained by the husband on the ground of the adultery of the wife and by the wife on the ground of adultery of the husband with a woman not being a prostitute, or adultery coupled with bigamy, or adultery with cruelty or desertion of two years or upwards, or rape or unnatural offence of the husband.

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Giving the wife a right of asking for divorce on the ground of the adultery of the husband with a woman other than a prostitute is a little different from the English Law as it stood then, under which it was necessary for the wife to prove some other offence besides adultery such as cruelty, desertion, or bestiality.

Cruelty means, of course, legal cruelty as explained in English decisions, *i.e.*, injury causing danger to life or limb or health or reasonable apprehension of injury to life, limb or health. Mental cruelty however gross it may be is not cruelty. "Mere austerity of temper, petulance of manners, rudeness of language, want of civil attention and accommodation if they do not threaten bodily harm do not amount to cruelty. No husband can be found guilty of legal cruelty to his wife unless he has inflicted bodily injury upon her, or so conducted himself towards her as to cause mental or bodily health or raise a reasonable apprehension that he would either inflict actual bodily injury upon her or cause actual injury to her mental or bodily health.....and the Court has never been driven off this ground." (*Evans v. Evans, 1 Hag. Con. Rep., p. 38*).

Where however there is a distinct violence by the husband towards his wife which would cause a reasonable apprehension of future danger, a single act of cruelty is tantamount to legal cruelty. (*Jamna v. Gordhanbhai, 9 Bom. L. R. Journal*).

## DESERTION

Desertion has been defined as "deliberate abandonment of conjugal society." Where therefore the husband withdrew from cohabitation from his wife he may be guilty of the offence of desertion although he continues to support her.

(*Yeatman v. Yeatman, L. R. I. P. and D. 489*)

But of course the withdrawal must be more or less

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permanent and wilful, *i.e.*, done with the intention of depriving her of his society, and is not due to force of circumstances over which he has no control. If the husband deserts the wife which is thus the inducing cause of her immorality, the husband cannot afterwards sue her for divorce. "It must not be supposed that a husband can neglect and throw aside his wife and afterwards if she is unfaithful to him, obtain a divorce on account of infidelity. The Legislature never intended that such a man should be entitled to a divorce.

(*Jaffreys v. Jaffreys*, 33 L. J. P. and M. 84)

A wife shall be entitled to judicial separation if the husband treats his wife with cruelty or if a prostitute be openly brought into or allowed to remain in the place of abode.

Cruelty is a question of fact for the Court, and injury to health is generally the criterion. It may be caused otherwise than by violence. Neglect, coldness and insult, expressions of hatred and loathing, may be carried to such an extent as to seriously affect the wife's health and in that case may be a ground for judicial separation. The Court at present are taking a more common sense view because insults and expressions of hatred may be more cutting than mere physical blows.

## NULLITY

A decree for nullity of marriage may be granted to either the husband or wife if at the time of the marriage the other party was a lunatic or of habitually unsound mind; provided, of course, that the party did not know of the defence at the time of marriage.

Impotency of the husband is also a ground for re-cision of the marriage.

As in England, parties are entitled to relief only if there is no collusion or any other legal ground why relief should not be granted. Putting forward false

facts, or facts which even if true have been corruptly or fraudulently preconcerted to form the basis of a judgment is "Collusion." This is the result of following the English doctrine, whereby according to the old Ecclesiastical Law persons who come to court must come with clean hands, *i.e.*, they must be the aggrieved and innocent party. Divorce by mutual consent is a thing unknown to the English and most other systems of law, and forms therefore the reason for the provision against collusion. Fortunately under the Parsee Act there is no King's Proctor to pry into private affairs and to see that no collusive decrees are obtained. The system of the King's Proctor has been adversely commented upon even in England.

One of the grounds why relief is refused is that the party complaining is not the innocent party and therefore he has no right to come to the Court for relief. Under the Ecclesiastical Law (Roman Law) a divorce as such was unknown. In urgent cases after great trouble a separation was granted. Later on when divorce was granted, it was only given to the aggrieved innocent party. Therefore a person who is in fault is not deemed to be aggrieved and so no relief can be granted to him.

Supposing a husband is guilty of consistent adultery; if mischance the wife has committed adultery also, she cannot get relief on the grounds of adultery for she is not deemed to be the innocent party. That means that where both are guilty they are perforce obliged to stay in wedlock and lead a life of immorality. The sooner this antiquated law is changed the better it is for all parties. Since 1925 the Law in England has also been altered by many recent decisions and now in the case above mentioned the aggrieved wife may be given a divorce even though she has been guilty of adultery. Similar rule would be applicable here now for the Parsees.

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As in England the wife is entitled to alimony *pendinge lite* and to maintenance if she has proved her contentions. She is entitled to claim all the necessary expenses of the suit from the husband, whether she loses or wins her case.

The custody of the children generally speaking goes to the innocent party, though of course the father is made to pay for their keep. In dealing with an application for custody of and access to children, the court considers first, what is for the benefit of the children and that is the paramount consideration with the Court and secondly the interests of the innocent party.

There is at present a bill before the Legislature to amend the Parsee Marriage and Divorce Act. According to the proposed bill the grounds on which divorce can be obtained have been extended to include:

- (1) The wilful infecting of the plaintiff with venereal disease.
- (2) The imprisonment of the defendant for seven years or more.
- (3) Desertion of the plaintiff for at least three years.

When the bill is passed it will be a great step forward to put the marriage laws of the Parsees on a reasonable common sense basis.

## CHRISTIANS

As with the Parsees so with the Christians there is legislation with regard to marriage and divorce. The Indian Divorce Act of 1869 applies to persons professing the Christian religion and confers on certain courts jurisdiction in matters matrimonial. This act extends to the whole of British India and so far only as regards British subjects to the dominions of Princes and States in India in alliance with her Majesty.

In the Act as framed the Court had no jurisdiction to grant a divorce except where the petitioner was a

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Christian and resided in India at the time of presenting the petition, or grant a decree of nullity except where the marriage was solemnised in India. Now by the Amending Act XXV of 1926 either the petitioner or respondent may profess the Christian religion, and the Court would have jurisdiction (1) to grant dissolution of marriage only if the parties are domiciled in India at the time of the petition, (2) to make a decree of nullity of marriage only if the marriage has been solemnised in India and the petitioner resides there at the time of the petition or to grant any relief other than (1) and (2) above only if the petitioner resides in India at the time of the petition.

The grounds on which a decree of dissolution and judicial separation can be obtained are the same as seen above in Parsee Law, except that a woman has to prove cruelty or desertion coupled with adultery to get a divorce.

Incestuous adultery, bigamy with adultery, rape, sodomy, bestiality or husband's apostasy from Christianity coupled with marriage with another woman gives the wife grounds for divorce. There has been no amendment so far to bring the Indian Divorce Act in line with the Divorce Law in England, where, since 1923, the husband's adultery alone, without proving cruelty or desertion, gives the wife a right to sue for divorce, thus equalising the grounds of divorce for both sexes in so far as adultery is concerned.

The High Court has got power to grant alimony to the wife pending the suit whether the suit is framed at the instance of the husband or wife. Where the marriage has been dissolved or a decree for judicial separation obtained at the instance of the wife, the court may order permanent alimony. The Court may also grant a protection order protecting her earnings and other property from her husband and all his creditors.

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The system of King's Proctor has been introduced in India under this Act, by the appointment of an officer who shall, within the jurisdiction of the High Court for which he is appointed, have the right of showing cause why a decree of dissolution if made should not be confirmed for collusion or otherwise. After a period of six months has elapsed from the passing of the first Decree known as "decree nisi", if the King's Proctor does not intervene, a decree absolute may be taken. After the passing of the decree absolute the parties are free to marry again. The court has power in suits for a dissolution of marriage or nullity or judicial separation to make such orders as it thinks fit regarding the custody, maintenance and education of minor children of the marriage.

As we have seen above the Indian Divorce Act (amendment of 1926) applies only if the parties are domiciled in India. Cases happened where the Courts in India had no jurisdiction to grant a decree of divorce as the parties were domiciled in England and Scotland and on account of service or poverty it was not possible for the parties to go to England to obtain a divorce. This caused great hardship. In certain cases decrees of dissolution had been granted by the Indian Courts the validity of which had been doubted by the English Courts. Therefore the Indian and Colonial Divorce Jurisdiction Act of 1926 was passed. This Act gives jurisdiction to the Indian Courts to make a decree for dissolution of a marriage, where the parties to the marriage are British subjects domiciled in England or in Scotland, in any case where a court in India would have such jurisdiction if the parties to the marriage were domiciled in India.

The grounds on which the decree is to be granted are to be similar to those on which decree would be granted in England.

No Court can grant any relief unless the Petitioner

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resides in India at the time of petition and the place where the parties last resided together was in India, and no marriage can be dissolved unless the marriage was solemnised in India or the adultery or crime complained of was committed in India.

The Court is to refuse to entertain the petition unless the petitioner can show that on account of official duty or poverty or any other sufficient cause he or she is unable to take proceedings in the Court of the country where he or she is domiciled.

The order or decree is not to have effect in India or elsewhere unless and until it is registered in the High Court in England and the Court of Session in Scotland. On registration it is to have effect as from the date it was made by the High Court in India.

This briefly is the Marriage Law of the four main communities in India. It would be a good thing if these various laws were abolished and one system of law were to prevail for everyone. Yet, that would be a counsel of perfection, and it does not seem to be possible in the near future. The next best thing is to see how far the marriage laws of each community are antiquated and to try and make them more equal, up to date, and conformable to common sense.



## **LEGAL RIGHTS**



## WOMEN AND PROPERTY

*By SHARADA NARANG*

According to the general law of the land women possess the right to acquire property and to dispose of it in just the same way as men can. No limitations are placed on their rights in this respect. It is only the personal laws of the various communities that have imposed restrictions on the right of women to inherit property belonging to a deceased relation.

### *Inheritance amongst the Hindus*

The Hindu Law of succession is probably the most conservative in the matter of inheritance by females. Amongst the Hindus the unit is not the individual but the family. This has given rise to the joint family which is an institution peculiar to Hindus alone and has no parallel in any other society or system of law. The effort of Hindu Law givers has been to evolve a system of inheritance which will preclude any part of the family property from passing out of the family. The result has been a paradox, that while a female may be a member of a joint family she is not a co-parcener, *i.e.*, has no share in the joint family property. All that she can claim is to be maintained out of the joint family property. If a division takes place a definite share of this property can be set apart and charged with her maintenance allowance.

The above, however, is not the invariable rule. Local conditions and usage in the different provinces have modified the law to suit such conditions; but in every province the female relations of the deceased in-

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herit only in the absence of direct lineal descendants upto the third degree and in most cases possess only a life interest in the property.

In the case of the self-acquired property of the deceased, both in the Mitakshara and Dayabhag systems of law the widow and the daughters succeed to it only if there is no male lineal descendant upto the third degree.

A widow who remarries is divested of the estate which she might have inherited from her deceased husband or any other relative of the husband's family.

The only absolute right which the Hindu Law vests in a woman is to her *Stridhan*. This is her absolute property and disposable by her at will.

It will be seen that the Hindu Law assigns a very subordinate position to women in the matter of inheritance. They have hardly any rights whatsoever in the presence of male lineal descendants.

### *Sikhs*

In the case of Sikhs also the same rules of inheritance which are found in Hindu Law will apply.

### *Mahomedan Law*

The Mahomedan Law is more liberal towards women and has accorded them definite rights in the property of their deceased relative. The widow of the deceased receives  $\frac{1}{8}$ th share in his estate, if there are agnatic descendants, or otherwise  $\frac{1}{4}$ th share. The daughters receive  $\frac{2}{3}$ rd share if there are no sons. In the presence of sons each of them receives one-half of what each son would get. The other female ascendants or descendants are preferred to male relations of remoter degrees. The only distinction that Mahomedan Law makes between female and male claimants of equal degree is that only one-half share is allotted to the female relation to what a male of the same degree would receive from the estate of the deceased.

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### *Christians and Parsees*

Succession to the estate of the deceased amongst the Christians and Parsees is regulated by the Indian Succession Act 39 of 1925. In the case of intestacy the widow gets  $\frac{1}{3}$ rd of the estate if there are sons or daughters of the deceased and in other cases she receives one-half of the estate subject to a minimum of Rs. 5,000 at least. The sons and daughters share equally.

### *Conclusions*

The Hindu Law is the most archaic and requires complete overhauling to bring it into line with present day conditions. The widow should be assigned a specific share in the property of the deceased, whether such property is ancestral or self-acquired. The daughters should also be given a share in their father's property in the event of his dying intestate. The Mahomedan and Christian Laws of inheritance leave little to be desired and accord a definite status to women relatives of the deceased.

From the above brief account of the position of women in this country in regard to inheritance it will be seen that women suffer from drastic disabilities or deprivation of rights which are not in accord with modern conditions or ideas. To remedy these strong public opinion should be created. Women organisations in this country should, therefore, not only aim at ameliorating the condition of women generally but should also ventilate their grievances in the spheres with which this chapter deals. It is only then that women will feel that they are the equals men and be able to take their rightful place in the struggle for emancipation and advancement of their country.

## THE HINDU WOMAN'S STRUGGLE

*By SULOCHANA DEULGAONKAR*

“Where women are honoured Gods reside”. This was literally true in ancient days. Women shared the religious rites and ceremonies with their husbands, they participated in state matters, they could marry or enjoy single blessedness and their parents or relations did not interfere with their decisions. At that time women were poetesses, artists, writers and philosophers. They discussed with men on terms of equality, and the selection of a husband, or the right to divorce (under certain conditions) were a few of the many privileges they enjoyed. This was the life in Vedic times.

Deterioration however set in. Political changes and the uncertainties of Governments had a bad effect on society, and woman's status gradually became one of complete subordination. Such was the position in 1885—the year of the birth of the Indian National Congress and the most important period in Indian Social History. Whether we call it a revolution, evolution, reaction or transition, what began at that time is continuing up to the present. A century before, the late Raja Ram Mohan Roy made a great change in the Hindu social and religious life in Bengal which was successful, bearing fruit in the Brahmo Samaj. Afterwards Hon. Justice Ranade established the Social Conference in which it was resolved that all social reforms were to be made *by Act through the efforts of all the social reformers from all parts of India*. The conference worked profoundly and did a good deal of work for the benefit of Hindu women. The problems discussed before the Conference were

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as follows:—

1. Remarriage.
2. Child Marriage.
3. Age of Consent.
4. Liberty to travel or sail in foreign lands.
5. Women's right to property.
6. Women's culture.
7. Their education.

At this period we must bear in mind as to what the actual position of woman was. We find that some parts of India were strictly impressed by the traditions of the Moghul rulers, e.g., the *purdah* in the Punjab, Bengal and the Upper India. The general position of women was that they had no education, no personal rights, no equality and no liberty in individual things. Inside the household too her rights were few.

Throughout her life she was a subordinate to some male, in her maidenhood to her parents, in married life (marriage was compulsion) to her husband or other elderly people in the house, in her old age to her son. The girl child and the male child were treated differently from the beginning in all things. She was not a personality who had a body, soul and mind of her own.

As a maiden she had no right to choose her husband or give her consent as she was "as tender as the dew of the morning" at the time of her marriage. Her education for her was one of modesty, and the house was her school and mother or elderly lady her teacher. She may not walk briskly in the street, laugh or talk aloud or show off her dress. She was a liability and her parents were tormented with anxiety about her and weighed down by her responsibility. After giving birth to a son however her position was established. Marriage took the place of the thread-ceremony, which, in the case of boys served as an introduction to the study of the ancient lore and also as an introduction to the duties of citizenship.

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As a married woman she had to absorb the atmosphere of her new house perfectly. Chastity was kept strictly on her side. Her sole function was the care of the house. She had to be loyal to her husband who may not be equally loyal and lovable to her. She had to spend her time in domestic and household things. She belonged completely to her husband and was not allowed to leave him on any account. She must be a good, wise, clever wife and mother. She must be engaged in her duties and was not allowed to have outdoor ambitions. Outside the four walls of her house she was expected to have no interest. Domestic virtues and faithfulness to her husband coupled with modesty and kindness were her be-all and end-all of life.

In her old age, the woman could be considered partly as a citizen. Here she was rather free from the domestic duties and so could work as a guide and utilize her time in the neighbourhood, but this usually was confined to choosing brides and bridegrooms and arranging marriages. There was no wider outlook which might even at this late stage make the woman interested in Society. Nevertheless it must be acknowledged that there was knowledge of art existing among those women. They could draw on walls, compose simple but sweet and short songs and could do various sorts of embroidery work. Though they remained confined to their kingdom of the home still they lived and played the part of daughter, wife and mother worthily, showing to the world uncommon selfless devotion, unquestioning loyalty of heart and sweet simplicity of life.

The condition of the widows however was worst. Their sorrows were unlimited. They were condemned to pass their time in fasting and prayer, in servility and in utter disregard of human emotions. The child-widow or childless widow's position was the most pitiable. In lower classes such widows were allowed to remarry,

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but not so among the so-called twice-born. In the Census of 1911 is stated "Widows especially child-widows were treated as family drudges being supposed to be practically dead to the world and had to content themselves with the coarsest food and only one meal a day." In Southern India she had to wear simple coloured clothes and to remove her hair.

The position of Hindu woman in law was no better. Her inheritance was restricted to what was known as her *stridhan* property, otherwise she could never aspire to more than a limited estate for her life-time. Her marriage was a Sacrament that dared not be attacked, and once married she was for ever married till perhaps she would be delivered by death. Remarriage of a widow was an impossibility and so great was the feeling of society against it that even to this day the Remarriage Act is merely a legal enactment validating such a marriage, but nothing has been done to make such marriages more frequent and wide-spread. So blind was religious zeal that one of the greatest crimes was perpetrated in the name of religion. We have it to this day in the institution of the *Devadasis*.

Education for women was considered to be unnecessary. Raja Ram Mohan Roy however agitated and the Bethune College was established in 1849. The College was the first educational institution of its kind. The Christian missionary in India also did much for the education of girls. The Statistics provide interesting reading and the Bombay University rolls show only eight names of matriculated girls in 1883. At Poona a school was established in 1848, but we do not hear of it now. Higher education in medicine of females was encouraged through the Medical College of Madras in 1884, where a few women were studying medicine. This was the first college in India to open its doors to women and its first woman student was in 1878, just over fifty years back. In the Bombay presi-

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dency the much lamented Justice Dayaram Gidumal and Behramji Malabari, were advocates of women's education and welfare. In Poona City the late Principal G. G. Agarkar, the strong pillar of social reform, was making hard efforts for a new era. The lamented Pandita Ramabai opened a Widows' Home with the help of the late Justice Ranade for the sake of female education and uplift and good treatment and incidentally for remarriage of widows, and this Institution worked a good deal for some years. The High School for Indian Girls in Poona and the Student Literary and Scientific Society School in Bombay were founded separately for girls' education and just last year both those schools have celebrated their Golden Jubilee. Higher foreign education also was coming into practice fifty years ago. The late Dr. Anandibai Joshi and Dr. Rakhamabai who still works at Rajkot sailed for foreign countries for higher education. Again at the same time Mrs. Sattianathan and Jagannathan had been to foreign lands for higher education in other lines. Among all these the late Pandita Ramabai did wonderful work at that critical period of Society. Nevertheless the goal of women's education for several years after 1885 was merely that they should be better mothers and better wives and the fact that they should be better citizens and better persons was not much thought of. Gradually however this aspect was emphasised and the seeds were sown by Pandita Ramabai who was followed by Ramabai Ranade. The "Poona Seva Sadan" was the result of their efforts—where women's education in all branches of life is emphasised.

The work begun thus is still continuing and woman's activities have increased to a very appreciable extent. Customs and usages are however still obstacles that must be overcome to ensure the progress of women. How this will be done without breaking with the past

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is a problem. Hindu society has been closely linked with religion, and the scientific ideals of to-day are challenging the very foundations of all that exists. It is from the complete merging of the two ideals and the consequent changes that will result that we hope to find the Indian woman make her contribution to the creation of a world more beautiful and free.



## **POLITICAL STRUGGLE**



## WOMEN AND POLITICAL STRUGGLE

*By G. J. BAHADURJI*

The political consciousness of women is relatively a recent phenomenon, all over the civilized world. While it was in its infancy many misconceptions were engendered, often by interested parties, sometimes by the utterances and behaviour of the advocates of woman's rights—urging their case too ardently rather than too well—which lent a wholly false view to the main struggle, its nature and consequences.

In Western countries, where the new consciousness of awakening womanhood first took shape, the struggle was concretised, in the first instance, in the demand for Political Franchise,—the right to vote. It was regarded as a symbol of citizenship, a recognition of woman's being a human being, which had for countless centuries been denied. But because woman's struggle for recognition crystallised itself in the demand for political enfranchisement, it did not follow that the right to vote was the aim as well as the means of the entire struggle. The vote is only a weapon, a means to power, with which woman may achieve ends that are scarcely even visualised to-day.

During the course of the struggle, and because of its unavoidable exigencies, emphasis had often to be laid on the rights and claims of womanhood, which sometimes created a needless antagonism between the sexes. Because, however, woman had become conscious of her rights; because she had become aware of her place in the social scheme; and because, in the heat of the struggle and in virtue of the tactics adopted at any

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given moment, woman or her advocates laid undue stress on her rights or claims, no fair-minded person should conclude that woman, conscious and enlightened, woman, equal and emancipated, would, in any social concern or relationship, be naturally or necessarily, in antagonism to man. The law of nature permits no permanent antagonism between those designed to be mutual helpers, and constant fellow-workers. There is no inherent or enduring hostility between the sexes. The fact that the two sexes are inevitably mutual complements, as ordained by the law of life, has never been denied by any thoughtful person, even though it may have, at times, been obscured.

Woman's claim to an equality in political status is a fundamental demand, reaching down into the very roots of human life and social organisation. The superficial enthusiast, fighting for Franchise Equality, does not always perceive the true character of the demand, and the limits of the means adopted to achieve it. Lest the struggle of Indian womanhood to the same equality of status, and the rights as well as obligations pertaining to that equality, be misunderstood, I shall attempt to lay out briefly the true nature of that struggle, some of its inevitable concomitants and characteristics, and its undeniable ultimate goal and purpose.

In woman's demand for an equality of status,—and, therefore in rights as well as in obligations—is implied Nature's silent scheme to make human life richer, and the contribution of that life to social progress more substantial. The science of Biology has, indeed, not advanced to such a point where we could confidently say what the exact role of heredity in the make-up of each individual is. Nor is our knowledge of Psychology so positive that we could say definitely what part the social harmony of human relations plays in the growth and development and contribution of each

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human unit. Even our study of the social environment at any given moment, and in any given community, in its reaction upon the fullness and richness of human life, is still in its infancy—unable to tell us precisely how the customs, usages and institutions, created by man himself, react upon his posterity, mould his future and shape his contribution to the common advancement. Nevertheless, assuming as we may, that the close co-operation and perfect harmony of the two sexes is indispensable to the best type of progeny to carry on the work of social progress, we cannot but perceive that the progress of the coach would be impossible so long as one of the wheels remains out of gear or defective. Woman, undeveloped or unconscious; woman, denied or excluded from all that constitutes the normal demands of a human soul, must needs remain unsatisfied and incomplete, suffering from a sense of futility and degradation, which inevitably precludes her from becoming the full and self-sufficient mother, or that equal and inspiring comrade—let alone an equally contributive citizen,—without which no society can ever hope to attain the maximum pace of its social progress.

This sense of futility and degradation may, indeed, not be found clearly analysed, and specifically stated, by the victims of such social injustice. It is the peculiar horror of such a force, that the victims are themselves the loudest in praise of the chains that confine them. But their protestations in support of their own bonds are of no avail, for the simple reason that those utterances are not the conscious declaration of any competent and independent thinking, but merely parrot-like repetition of what they are taught to consider the proper place, the real role, of woman in the scheme of society. It is the fault of their education, not a defect in the ideal of equality. While the ideals of social activity are all the creations of man; while the system of education is inspired and dictated by these ideals and worked by

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given moment, woman or her advocates laid undue stress on her rights or claims, no fair-minded person should conclude that woman, conscious and enlightened, woman, equal and emancipated, would, in any social concern or relationship, be naturally or necessarily, in antagonism to man. The law of nature permits no permanent antagonism between those designed to be mutual helpers, and constant fellow-workers. There is no inherent or enduring hostility between the sexes. The fact that the two sexes are inevitably mutual complements, as ordained by the law of life, has never been denied by any thoughtful person, even though it may have, at times, been obscured.

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In woman's demand for an equality of status,—and, therefore in rights as well as in obligations—is implied Nature's silent scheme to make human life richer, and the contribution of that life to social progress more substantial. The science of Biology has, indeed, not advanced to such a point where we could confidently say what the exact role of heredity in the make-up of each individual is. Nor is our knowledge of Psychology so positive that we could say definitely what part the social harmony of human relations plays in the growth and development and contribution of each

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human unit. Even our study of the social environment at any given moment, and in any given community, in its reaction upon the fullness and richness of human life, is still in its infancy—unable to tell us precisely how the customs, usages and institutions, created by man himself, react upon his posterity, mould his future and shape his contribution to the common advancement. Nevertheless, assuming as we may, that the close co-operation and perfect harmony of the two sexes is indispensable to the best type of progeny to carry on the work of social progress, we cannot but perceive that the progress of the coach would be impossible so long as one of the wheels remains out of gear or defective. Woman, undeveloped or unconscious; woman, denied or excluded from all that constitutes the normal demands of a human soul, must needs remain unsatisfied and incomplete, suffering from a sense of futility and degradation, which inevitably precludes her from becoming the full and self-sufficient mother, or that equal and inspiring comrade—let alone an equally contributive citizen,—without which no society can ever hope to attain the maximum pace of its social progress.

This sense of futility and degradation may, indeed, not be found clearly analysed, and specifically stated, by the victims of such social injustice. It is the peculiar horror of such a force, that the victims are themselves the loudest in praise of the chains that confine them. But their protestations in support of their own bonds are of no avail, for the simple reason that those utterances are not the conscious declaration of any competent and independent thinking, but merely parrot-like repetition of what they are taught to consider the proper place, the real role, of woman in the scheme of society. It is the fault of their education, not a defect in the ideal of equality. While the ideals of social activity are all the creations of man; while the system of education is inspired and dictated by these ideals and worked by

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these men; and while men continue to derive an advantage to themselves,—even unconsciously,—from the continued subjection and suppression of womanhood to serve their pre-ordained scheme of social organisation and human destiny, it is no wonder that women who are vocal begin by praising the bonds that prevent them from sharing their full measure of social obligations, or enjoying their equal share of social rights. Woman, for ever condemned to the kitchen, or even to the nursery; ends by being a drudge in either place, without perceiving the true artistry of the one, or realising the proper spiritual mission of the other. And because Fate, or rather, social ordinance compels the majority of women to adopt the only profession,—Marriage,—which assures them livelihood, woman can seldom give or receive from marriage that which would make it a gateway of paradise, so long as she has little choice, and less economic ability to make the choice. Marriage thus annihilates all sense of individuality from woman. At the best, it might make her a lovely, dressed up doll; at the worst, it often makes her but little distinguishable from a beast of burden, wherein her mate becomes her master, and her creations the bonds that tie her to the yoke of family life, which, once entered, leaves no room for self-expression, or self-realisation.

It is to correct this inherent injustice to her sex that conscious womanhood demands equality of rights,—political as well as social. It is to repair this grave social injustice that she claims equality of responsibilities, obligations, or opportunities, to make her own contribution to the progress of mankind. It is to make up for a serious omission that she requires a full recognition of her individuality, and equal chance to her personality, so that she, too, might bear her burden in the evolution of the social system, and exaltation of the human race. *The particular political,—or social—demands of the moment have no significance, in proportion to*

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*the basic issue raised by woman's reawakened consciousness.* And though these incidents of the entire struggle may tend to obscure the real nature of the fight; though they may prevent or distort the true course of the fight at times; though even the actual participants may give utterances that may lend a colour to such distortion,—no one will understand the phase and objective of social evolution and individual fulfilment, who ignores this essential character of woman's struggle for self-expression and self-realisation.

These general characteristics of the struggle may not seem to be manifest in each particular case, or at any given moment. In our own country, woman's struggle is of very recent date; and so far as some of the incidents or signs of that struggle are concerned, they may appear to be not as spontaneous and natural as the corresponding development in other countries may appear to be. For instance, in this country we have not had to fight for the right to vote in the same way as our sisters have had to do in the West. The principle of civic equality as between sexes was accepted by the rulers of India long before Indian womanhood became conscious, directly or by imitation, of its civic rights; and so the right to vote was accorded to Indian women without the latter having had to fight for it. But it was accorded not as an expression of the community's conscience perceiving and redressing the injustice of suppressed womanhood; but merely as a move in the political strategy of the rulers of India. And because the right to vote was conceded, in principle, to Indian women simply as a tactical manœuvre, the right became in practice hardly a right at all but a mockery of the very name of 'right.' Upto this date the right to vote has been hedged and conditioned by so many requirements of property or status that the average woman in India has had very little chance of effective political power through the vote, and still less scope for swaying

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the national policy. And though under the new constitution the literate woman has been given the right to vote even that right will be reduced to nullity because of the appalling illiteracy in our land.

Let us here consider woman's position with regard to property qualification. Under the social system in operation in this country, the bulk of Indian womanhood have very little property in their own right; and therefore, no chance to acquire the right to vote. There is an appalling degree of poverty in India,—so much indeed, that reliable calculations of our national wealth have shown there is scarcely enough wealth produced every year in this country supply every man, woman, and child with only one meal per day,—of the crudest stuff and the poorest variety. With such wide-spread poverty property rights must needs be confined to a very small fraction of the community. Of the low property qualification prescribed for franchise purposes even in the new constitution only 30 million men out of an adult male population of perhaps 100 million, would be entitled to vote all over India. Social usage and personal law, however, do not permit Hindu women to have any property in their own names; and so even this limited qualification is inaccessible to them. According to the Hindu Shastric injunction, woman is to be protected by parents in her childhood, by the husband in her maturity, by her children in her old age; so that at no stage in her life is she to enjoy full individuality, or a complete personality by herself. All her social utility and civic function is as somebody's wife or widow; and the women who refuses to entangle herself in the chains of matrimony has very little chance to acquire any civic rights. The Musalmans in India and other minority communities may not perhaps have the same usages to bind them. But the force of imitation rules supreme; and, even if in the theory of their personal law many of these communities may be conced-

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ing fuller personality and greater property rights to their women, the example of the plight of Hindu womanhood, coupled with the crushing load of material poverty, makes the right to vote conditioned by property qualifications extremely illusory.

The actual state of woman under the new constitution may be more easily perceived from the following few facts. As against about 30 million male voters, enfranchised under the new régime, only about 6 million women voters will have the same rights. These rights are given to them either in virtue of their own property holdings,—confined necessarily to a very small fraction,—or because they are the wives or widows of men who had voting qualifications under the existing régime; or because they have attained certain status, e.g., being a University graduate or because they are literate. The fact that the new constitution admits and enforces the principle that political rights may be made dependent upon civil conditions is itself a heavy handicap on India's rising, enlightened, and conscious womanhood. If the right to vote is to be obtained in bondage to man, the new womanhood of India might quite conceivably elect to forego such rights rather than accept such bondage as a sort of condition precedent to political recognition. Again, the small fraction of women who would obtain the vote in their own right, either as property-holders or as being of a given status, or having the required literacy qualification would only serve to rivet more firmly the trammels of the existing social system, and its cement—the prevailing personal law,—which the new consciousness of enlightened humanity impels us all to strive to reform. The *stridhan* of the Hindu wife or widow affords slender chance to acquire voting rights based on property, especially for a woman in a Joint Hindu Family. Taking all these considerations together, the rights supposed to be accorded to Indian women in the new

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constitution are most inadequate and as in the case of the "wifehood qualification" unacceptable to enlightened Indian womanhood.

Woman's own perception of her position in the social system is unfortunately not so clear and widespread as one might wish it to be. For centuries Indian woman has been brought up in ancient tradition and archaic ideals, which may have at one time fitted a scheme of things that is now rapidly becoming obsolete. Given the fierce competition of this industrial and commercial age; given the close and daily contact of all parts of the world with one another, every ounce of energy has to be put forward to maintain the individual's as well as a community's struggle for existence. The march of science has revealed infinite and inherent possibilities in every individual which the enlightened and conscious womanhood of India, however small in number, will no longer forego; and the example and precept of the more advanced cannot but react on the more backward. The splendid contribution of women in the recent manifestations of India's national struggle, the daring and sacrifice shown by girls and young women by the thousand in every part of the country, not only bear a close family likeness to the contribution made by British womanhood in the World War—which won them the vote in that country; it has accentuated the process of breaking down moth-eaten barriers of obsolete tradition, which is rapidly making woman more self-reliant and assertive all over the country. The inroads made by her again in the professions and avocations hitherto regarded as peculiarly the monopoly of man; and the distinction obtained by her in all those new fields of activity opening out to her, combine to make her demands more and more irresistible. One by one the barriers to her further rise are crumbling; customs which restrained her are annulled; laws which repressed her are repealed; institutions which confined her are

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being remodelled. Still, woman feels that in this process of reconstructing a society and rejuvenating a people man alone cannot do all that is needed partly because his angle of vision is necessarily different, partly also because his perception of the wrongs of Indian womanhood have not the same intimate personal experience as enlightened women can provide. Hence her demand for a greater and fuller association and for a more direct contribution to this process of national reconstruction and regeneration. If woman is enabled to get into the Legislature, not only would she help to undo the mischief of these laws, conventions, or institutions; she may even bring about, silently and imperceptibly but nevertheless certainly and effectively, a complete orientation in the actual administration of these usages and conventions that are to-day operated against her as a sex. It is the inevitable consequence of responsible Government that the views of the popular representatives insensibly tell upon administrative authorities; so that, not only the theoretical position but the practical daily life may also undergo a silent change towards a greater liberty and fuller life to woman.

There is yet another consideration for the larger admission of women in the public institutions of the country. While the fight for woman's rights is on, she or her ardent advocate may be betrayed into an impatience that might refuse to see reason or do full justice to social requirements. An unnatural antagonism may be created as between the sexes which cannot contribute to the welfare of humanity or the progress of the race. The best means to make woman see the other side of the shield,—as, indeed it is the best means in any similar case,—is to give her the opportunity of direct contact or personal experience of administration. By her very presence in the Legislature of a democratic Government woman would come to appreciate better the social need for institutions and conventions, which

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to-day might appear to her as so many symbols of her own suppression; she would understand more correctly the origin and intention of these features of the social organism; and so help to a humanisation and refinement of those features which must be perverted when their administration is one-sided, but which would facilitate the attainment of the ultimate objective when woman joins man in their proper administration.

The principal handicap of woman lies in her lack of property or economic independence. In Europe, even admission to many a profession or the higher branches of the Public Service is denied to woman, mainly because she does not command private property of her own in accordance with the secret or open conventions obtaining in respect of such posts. A woman cannot join the higher ranks of the banking service in a country like Britain, mainly because she has not the necessary capital to guarantee fidelity. And if that silent restriction is removed because of recent reforming legislation in the more advanced countries, the deadweight of old, undying tradition still continues to ostracise woman from the more important and responsible posts in her country's public service. Even opportunities for higher education,—which are theoretically open to woman since only comparatively recent times, and which would qualify woman for higher and more responsible posts or professions, are not possible while the discrimination in property-holding still continues to operate against her. For admission to the highest strata of the legal profession or to that of auditors, actuaries, architects, engineers, etc., costs heavy fees. As woman holds no property of her own and as making such outlays on a woman's education is still generally regarded as unremunerative investment by the middle class, since woman marrying would go into another family, her chances of such distinction, wealth or eminence become unavoidably restricted. In India this handicap is even greater as

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already observed: hence under these circumstances the first task of woman in Politics would be to rationalise the laws of holding and transmitting property; and, through that, to remove the tacit or overt disabilities placed upon woman by our present social structure.

With the rationalisation of property laws, the liberalisation of other institutions which vitally affect the work and status of woman will be relatively an easier task. For though, even in such institutions as Marriage or Family the aid of political power is indispensable for radical and substantial reform, the cement which to-day holds together many of these social institutions is provided by the economic weightage of property. Once that handicap on woman is removed, the roots of these Institutions, as at present planted would weaken and decay; and their reform would be very much simpler. Even if radical reform is not easily practicable, the terrors of these Institutions, to-day working almost exclusively in favour of man whenever a moment of tension appears, would disappear the moment woman ceases to be the chattel and the slave of man that she happens to be in many a modern community.

In countries like India, wherein social institutions of the kind illustrated above are yet outside the authority of the Sovereign Legislation; and where the existing frame-work of society is considered to be a divine ordinance indissolubly linked up with the people's religion, woman's task to bring about a change in the Property laws would be much harder; and consequently the hope for a remodelling of the other institutions which so intimately affect the whole life of woman, proportionately more difficult. Nevertheless, even in such countries the idea of women working her way to emancipation is neither new nor unpalatable. Perhaps, some degree of the present attention the proposals for social reform receive from the man-dominated legislature is due to a misconceived sentiment of Chivalry, or a faint sub-

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conscious idea of charity or condescension among the champions who shoulder such tasks. But the perception that man's own life is restricted, that his own potentialities are unrealised, and that his most cherished ideals often impossible, so long as one-half of mankind continues to be bound by obsolete prejudices and impossible barriers, must inevitably dawn upon the whole community so as to permit a united endeavour being made at a wholesale and not patch-work social reform. The raising of the age of marriage; the permission of remarriage to Hindu widows; the better distribution to woman of Joint Family Property—these are some of the reforms already attempted, or in gestation. But without questioning the good intentions of these pioneers of social reform by legislative enactment, the point may nevertheless be urged that there is, in these attempts, no definite social philosophy, no clearly enunciated and consciously co-ordinated ideal of social organisation; no constructive, wholesale plan of fundamental reform, which alone could make reconstruction inevitable and reform lasting. If woman, who has suffered for ages from these factors, and whose new consciousness of her handicaps would sharpen her desire and ingenuity to suggest the appropriate changes, were in the National Legislature in a fair proportion, she would perhaps supply more easily the lack of a thorough and co-ordinated philosophy, which to-day makes our attempts at social reform lopsided and unsatisfying.

With the radical reform in social institutions and economic legislation,—harder perhaps in this country than anywhere else in the world,—much of the unfair burdens now resting upon woman would tend automatically to disappear. True, even at the present moment such an advanced and enlightened country as Germany finds herself committed to the ideal of keeping Woman confined to the kitchen, the nursery, and the bedroom. The appeal of these reactionary tendencies

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is insidiously powerful in a poor country, where the struggle for existence is desired by no one to be unnecessarily complicated by the introduction of Woman in the arena. India is amongst the poorest countries in the world; and some of the most advanced sections of her population are already discovering the possibilities of woman's competition in the economic field. But here is a feature of woman's struggle for emancipation and the right to self-expression, which, she and the community as a whole must make up their minds, will have to be fought, however discouraging its temporary consequences might seem to be. The ideals of social life and of human intercourse must be reconsidered in the light of our new civilization of the Machine Age. If woman is restricted rigorously and exclusively to the domestic sphere; and if the labour of housework is progressively diminished by the use of machinery,—the problem of the unemployed woman may be even more severe,—especially in regard to the relations between man and woman and the repercussions upon the future of the race. The Human Being is still in the very infancy of his possibilities, in his attempt to dominate and render subservient the Nature around him. But this task of conquering Nature, dominating her and making her the obedient slave of Man's will and brain, would be thwarted and frustrated if the two sexes do not march in perfect harmony; if the mental condition and nervous crisis of the unemployed and the discontented and the eternally experimenting upset the fine economy of social organisation and concerted effort. Woman cannot, therefore, consent to her demands for social reconstruction to be restricted only to patchwork spasmodic changes or temporary alleviations of particular hardships. She must strike at the root of the institutions that have kept her backward and even the ideals that have made her a slave. And to do this she must have direct influence,—her own say,—in the

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political structure of society and her own right to influence its machinery of political action so as to yield the maximum satisfaction in her own particular aspect of the social struggle.

The political emancipation of woman has, historically speaking, come not in response to a conscious demand from Indian womanhood; but as a sort of an imposition from outside authority. But whatever be the historical perspective, ever since woman has become politically vocal in India and civically conscious of her rights and possibilities, she has eschewed the possibility of separate electorates for herself, with a distinctive if not a differentiating Franchise. The organisations of Indian womanhood have condemned unequivocally separate electorates on sex lines; and though the very basis of the Indian social system makes it inevitable that woman should be denied proportionate voting strength and fair representation in the country's legislature, her voice has asked in no uncertain terms for Adult Suffrage on a uniform territorial basis,—which alone perhaps could weld this country into a homogeneous community. The Franchise, as accorded to Indian womanhood, even in the latest manifestation of constitution making from without, emancipates,—or enfranchises less than a fifth of the total number of men voters; and these, in their turn, do not aggregate more than a fifth of the whole adult population.

The basis of political Franchise in India, therefore, needs to be fundamentally redefined if woman is to receive her due in the new manifestation of National Life which we are all expecting. Her influence promises to be materially valuable,—not only in the National or the Provincial Governments;—and therefore not only in the National or the Provincial Legislatures,—but also in those ever increasing number of Local Self-Governing Institutions and semi-governing bodies which, like the Municipality and the University, vitally concern the

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daily life of an average citizen. But so long as the basic principles of woman's right to vote and the recognition of her political status are dominated by such obsolete ideals and unjust discriminations, she will not be able to make her full contribution to the growth of the nation and the realisation of her mission in working out the common destiny of mankind and discovering the ultimate mystery of life. Woman, merely as woman, cannot perhaps automatically be given a fully equal status in some of the institutions mentioned above; nor can all her present handicaps or disabilities in respect of public service and opportunities for a fuller life, be removed at one stroke. But what is wanted is not necessarily a revolution that may be indigestible. Conscious womanhood would rather insist on a definite formulation of the new policy, the ideals that shall henceforth govern social life; and the concrete steps that would unfailingly lead to their accomplishment and realisation. In India that would make for the hardest and the most long drawn out struggle; but even in India there is no need to despair.

The new Constitution of India is unsatisfying to Indian womanhood. We have already instanced some of the features which make it most objectionable. But its offence perhaps lies even more in what it implies as its ideal of the place and function of woman in the new India of tomorrow, than in what it actually provides for woman's special protection to-day. Must woman for ever remain an object of special responsibility to an outside authority? And can she never be expected to stand on her own legs, fight her own battles, redress her own grievances? Those who are to be for ever protected, nursed or coddled, can never realise the inherent powers of their own personality; and the intrinsic dignity of their natural position. If woman in India is to make her fair and rightful contribution to the evolution of our community life; if she is ever to

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bear the full responsibility of her proper position as the equal colleague and comrade of her menfolk, she cannot accept a situation which would for ever condemn her to tutelage and perpetual minority. It may be that her own countrymen,—or the voting majority, might be against the realisation of some of the ideals that must necessarily inspire educated and progressive womanhood. But, she must learn to fight against the dead-weight of vested interests and accumulated tradition, so as to vindicate her right to a full recognition and perfect equality,—even as her sister has done in some countries of the West. Her place in the Public Services moreover should be assured to her through the open door of equal merit; and not by means of any mollycoddling reservations and unbecoming safeguards. Particular minority communities who demand such special reservations in all branches of the Public Service may have their own justification for such an attitude. So far, however, as educated womanhood of modern India is concerned, she neither desires nor would welcome such special or discriminatory privileges. Woman desires to serve the motherland in every capacity in which her special inherent talent or acquired proficiency would entitle her to demand opportunities of such public service. But she seeks them only on grounds of equal merit in the final selection, and not as a special humiliating privilege, the perpetual reminder of her enslavement. It is not certain if to-day, or in the new constitution, woman *qua* woman would be debarred from admission into the superior services of the country of administrative or executive importance. But whatever that position, woman cannot condemn too strongly a position of permanent protegeship, which will emphasise the cleavage between the sexes and not minister to the smooth operation of our community life and national purpose.

Social or public service is, however, rendered not

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entirely by public employment. Woman in private professions, so long as these avenues of individualist livelihood continue,—or in industrial or commercial employment,—has as much chance of contributing her mite to the common well-being as in any public capacity. The conditions of factory work, commercial or industrial employment, professional activities, are, however, such that woman is still seriously handicapped, if not practically debarred from opportunity in these directions. Indian womanhood, desiring a fuller life and freer opportunity in the new life awaiting her must therefore seek to improve and liberalise conditions of work and the possibilities of promotion or distinction,—not to mention competence,—in every possible department of social work.

Once woman is economically liberated, her cultural contribution in our national renaissance would become undeniable and invaluable. By nature and temperament, if not by nervous structure woman is better able than man to perceive Beauty and seize upon refinement in life. Her spiritual framework is also of a higher and finer texture. These, her natural wealth, are however kept dormant and unavailing to-day because of the economic handicap, the political ostracism, and the social bondage which crib and confine her being and deny her possibilities. As it is, woman has made no insignificant contribution to the cultural revival and the spiritual reawakening of this country. The names of Toru Dutt and Sarojini Naidu need but to be mentioned to justify such a claim on behalf of the sex. Mira and Ahalya are not forgotten as examples, or Sita or Damayanti forgotten as ideals. In the regenerated India, woman's role may be radically different from what it has been in the past, as her place and work would needs be different from what has been assigned to her by tradition and usage. Whatever that role, woman has already made ample promise and given

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sufficient earnest of her powers and possibilities,—in every activity which has of late been opened to her,—to warrant the confident belief that she would not prove untrue to her history, to her natural constitution, to her country's requirements.

In the future, then, with the fight won and the place assured, woman in India would be a full citizen, an equal and inspiring colleague, a sympathetic comrade, an understanding teacher and mentor, who needs not to punish because the unseen wires of spiritual sympathy and divine understanding shall speak through her. Man may or may not be made in the image of his God. But he has it in him to equal and even to surpass all that unenlightened infancy of our race had pictured to be godlike attributes. In that search for raising man from the beast to the divine, woman's help, guidance, comradeship, are indispensable; and when these are forthcoming in a full measure, and offered with an unstinted heart, the nation that can call such people her devoted children must needs take the van and ever lead the march of progress.

## POLITICAL STATUS OF THE INDIAN WOMAN

By HANSA MEHTA

In this chapter I am to deal with a general survey of the political status of the Indian woman as it was, as it is and as it should be. In giving a retrospect of her position I shall not go as far back as the Vedic times as there is no need to dip in the remote pre-historic past, however glorious it may have been. Indian history as it is known does not lack evidence to show that woman had an honoured place in society and therefore in the state. For the state in those early days was a part of the society and a means to the social good which unhappily it is not to-day in India.

In the early dawn of her history India was not politically one. She was divided up with few exceptions into small monarchic states. The Hindu kingship, however, was not as absolute as it is to-day. Even the kings had to bow down before Dharma or duty as enjoined by the *Sastras*—the laws sacred to the Hindus. These laws governed the very life of the people and even to-day are regarded by the very orthodox as unchangeable. In such a highly organised society, woman had a definite place assigned to her. The joint family was the unit of the Hindu society. Once the girl was married, she ceased to belong to her father's family. The law, therefore, did not recognise her as an heir to her father's property. As wife and mother, on the other hand, the Hindu woman held a very high position. It is for this reason that the Hindu woman was never an heir to her father's throne. As wife or *Sahadharma-charini*—one who walks on the same path of duty with

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her husband—however, she not only held a very high position but wielded a great influence in the state. To give only one instance, Kumardevi the wife of Chandragupta the founder of the illustrious dynasty of the Guptas was termed Mahadevi—the great queen—and even coins were minted in her name, a privilege accorded only to ruling kings.

As mother, the Hindu woman could act as regent for her minor son. Indian history is full of such notable examples of women ruling and ruling wisely during the minority of their sons. Minaldevi, mother of the great Sidhraj Jayasingh ruled over Gujarat at the end of the eleventh century. Rani Durgavati the Rathod queen of Jodhpur had not only to rule the state for her infant son but had to defend it against the great Moghul Aurangzeb. Coming to more recent times, Ahalyabai Holkar of Indore was an illustrious woman who ruled on behalf of her adopted son. Rani of Jhansi took part in the Great Mutiny for the injustice the British had done in depriving her of her state. The same law works to-day and in the Indian States like Gwalior, Travancore and Cooch Behar, the Maharanis have recently acted as regents for their sons.

The Mahomedan Law on the other hand recognises woman as an heir and as such Muslim women have been rulers in their own right. Razia Begum or the Great Chandbibi are well-known examples in the past. Coming to modern times the three successive rulers of the Bhopal state were women. In the "Account of my life," H. H. the late Nawab Sultan Jahan Begum of Bhopal the mother of the present ruler writes "as a proof of God's special favour to the Bhopal state that for three successive generations. He has placed the reins of Government in female hands." She even described her grandmother Nawab Sikander Begum as holding the same place in the history of Bhopal as that held by the Emperor Akbar in the history of India.

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As far as the Kingship was concerned, therefore, Indian women whether Hindu or Musalman was not debarred from holding the reins of Government whether as a regent or as a sovereign in her own right.

The political rights as they are understood to-day in a democratic age can have no place in a monarchic state. The Hindu kingship, however, as I have mentioned before was not absolute. The sovereign power was distributed and the lowest unit of such power was the village *panchayat* or the council of five in a village. These *panchayats* had control over the administration of villages. They distributed lands and collected taxes for the King. They had even judicial powers and would act as judges and try people. These *panchayats* held their power for a long time. There is a mention of a woman's name on one of these *panchayats* which show that women were not excluded from taking part in the affairs of the State.

With the advent of the Musalmans the Indian history changes. It was not so much the political side of it as the social side which underwent a deep change. India had been from time immemorial given to foreign invasions. Hinduism, however, was capable of absorbing this foreign element and thereby enriching itself. With Islam, it was a different story. Islam was young and fresh and was out for new conquests. The result was, Hinduism had to gather together its own forces in order to defend itself. Out of sheer self-defence it began to raise walls around it. Its elasticity began to disappear. Within these strangling bounds the Hindu society began to deteriorate and as it is always the case in such circumstances, woman became the worst sufferer. Her freedom was gone and with it her knowledge of her own rights in relation to the state.

With the fall of the Moghul Empire India entered into another phase of her political life. Chaos reigned supreme till the British stepped in and seized their

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opportunity. Taking advantage of the interneccine warfare they came forward as saviours of the country and became the virtual heirs of the great Moghuls.

The British rule in India was from the beginning absolute. Even to-day with all the so-called democratic institutions established in the country it is none the less absolute. In the year 1882 when Lord Ripon was the Governor-General the element of self-Government though on a limited scale was first introduced by the establishment of Local Self-Government, *i.e.*, municipalities for some towns and Rural Boards for districts. In the year 1885 the Indian National Congress came into being. It was purely a political body and its demand was more and more association of Indians in the Government of their country. It was largely due to the agitation of this body that the first India Act was passed in 1892 which broadened the Viceroy's Council. A few of the members on the council were to be indirectly elected. The representative bodies like municipalities, etc., were to elect or select their representatives out of whom the Government would nominate. But the official majority was maintained and the non-officials had no real effective power. . With the Morley Minto Reforms in 1909 came for the first time some semblance of power. The elective principle was introduced for the first time and the official majority was done away with in the provincial councils.

While men through the National Congress were agitating for more rights, the Indian woman was still unconscious of her position. Legally there was nothing to debar her from taking her place in local bodies like municipalities or in the Legislative Councils. It was her own backwardness that was responsible for keeping her out. The awakening, however, came and in 1919 when the Montagu-Chelmsford Reforms, which widened the electorate, were under discussion a deputation composed of Indian men and women waited upon the

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British Parliament asking for enfranchisement of women on the same terms as that of men. The British Parliament, which had denied these rights to their own women was not in a hurry to concede this request. They, however, left it to the new legislatures in India to do what they liked in the matter. In the April of 1921, Madras led the way by giving the same rights to women. The rest of the legislatures, with the exception of the Council of State soon followed suit.

This awakening of women was greatly accelerated by the great congress movement of 1919-20-21, *i.e.*, the non-co-operation movement. Women began to take more active part in public life. Some of them contested the municipal elections and even won them. A woman though a nominated member, was unanimously elected Deputy President in the Madras Council.

The new franchise was, however, based on property and the Hindu woman found herself greatly handicapped. With the result that only one woman to twenty men, was enfranchised while the population ratio stood in those days approximately sixteen women to seventeen men. Ten years later when the Simon Commission came to India they recognised this discrepancy. They realised the importance of the growing influence of Indian women in public life and the necessity for a wider franchise. The new Act that is recently passed enfranchises woman not only on the same basis as man but adds special qualifications for her enfranchisement which brings up her ratio to one woman to every five or six men. There is no longer any bar to her becoming a member of the Council of State the New Federal Council. As a matter of fact seats have been reserved for her in all the provincial assemblies excepting that of the N.-W. F. Province, as well as the Federal Legislatures. Her political status, therefore, is on par with that of man. But as I have already mentioned before with all the semblance of these democratic insti-

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tutions in India the people of India have very limited political rights. With the defence, the foreign and the fiscal policy in the hands of those whose interests are not the interests of the country, it is no use saying that Indian people have real political rights. Even the internal law and order are to be in alien hands. Theoretically, therefore, the Indian woman has better political status than for example the French woman who has no vote. In practice, however, her rights are as nebulous as can be. If therefore, she wishes to get real rights in future she must fight for them—fight for them not against her own men as is the unfortunate fate of women in some other countries, but with those who have usurped the rights of the people and are unwilling to part with their power. The future of Indian woman as far as her political status is concerned, is linked up with the future of her country. The political freedom of the country alone can give her real status. The Indian National Congress at their session in Karachi in the year 1931 defined the fundamental rights as between men and men and between men and women as being equal. If the political power goes in the hands of those who will stand by this resolution the political status of the Indian woman is assured. Her immediate task, therefore, is to help these men in their struggle to get the power and set the country free from her political bondage.

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tardily. Mary Wollesstonecraft's *Vindication of the Rights of Women* published in 1792 and John Stuart Mill's *Subjection of Women* in 1867, were the first bold utterances that made men and women look at the entire question of woman's place in the State from a different angle. This changed outlook was due firstly to the changing social values of the 18th century, and secondly to the fact that the theories underlying statecraft were gradually changing from absolute monarchy and parliamentary aristocracy to parliamentary democracy, which became in the 19th century the characteristic form of Government for the developed countries of the world. It must, however, be borne in mind that considering the "vast concurrent changes in economic conditions and social needs of the nineteenth century and the rapidity with which one old institutions after another was crumbling down, the movement for affording women equal opportunities with men in all spheres of life, was remarkably slow.

Right down to the latter part of the nineteenth century women, who had talent for literary work or medicine—professions that were considered man's special heritage—had either to assume a misleading pen name, if their book was to sell or disguise themselves as men, if they desired to inspire confidence among their patients. No serious attention was paid to the higher and systematic education of women in Europe and America generally until the middle of the 19th century, although once the need for educating women was realised, the movement gained strength very rapidly.

To realize the full significance of the enfranchisement of women it is necessary to give a brief survey of the suffrage movement in England, because England was the pioneer of Parliamentary Democracy in Europe and its political experiments influenced the political thought of other countries which had adopted this particular form of Government. The English

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ideal of parliamentary Government based on universal suffrage was not achieved very easily. When the Reforms Act of 1832 was passed it enfranchised the middle classes alone. It was not till 1884 when the working classes were really given the vote that the ultimate objective of a purely Democratic Government came within sight. This, however, could not be fully attained until the women of England had got the vote. Women had to go through a grim struggle before they could wrest this right from Parliament. The suffragist movement of England has been ridiculed for its violent tactics and held up as an example of an unwomanly movement, but it must be remembered that it began as a purely constitutional agitation. Women first organised themselves into numerous groups and started educating the public by means of sending petitions to Parliament and asking staunch supporters in Parliament like John Stuart Mill, to advocate their cause in the House of Commons. Lydia Baecker a leader with remarkable foresight decided to get the ruling of a Court of Law as to whether under the existing law of the land women were entitled to vote or not. The ruling was against her, whereupon the suffragists started their agitation. The first result of this movement was, that in 1869, women were granted Municipal franchise and were being elected to the Education Boards. This, however, did not mean that the country was prepared to give the vote to women. In 1870 Jacob Bright's bill to enfranchise women for Parliament could not pass the third reading and so gave ample material for women's agitation to spread. Gladstone's persistent opposition to any concessions being shown to these demands led to the strengthening of the suffragist movement, and in 1897 all the scattered societies combined to form the National Union of Suffragists. In 1903, they restored to direct action under the leadership

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of Mrs. Pankhurst through an organisation known as the Women's Social and Political Union. With the spread of these activities the demands set forth by these women militant suffragists met increased opposition. In 1911, Mr. Asquith's firm refusal to consider their demands favourably and later, in 1913, the failure of a move for conciliation between the opponents led to a strengthening of this novel campaign waged by women for the recognition of their political rights, and in 1913 just before the outbreak of the World War the women suffragists organised their famous march on foot throughout England rousing public opinion in favour of their cause. This went a long way towards lessening the bitterness with which people generally viewed their fight with the forces of conservatism. The Great War of 1914 changed the entire trend of normal life throughout Europe and these militant women at once suspended their hostile activities and rallied all their forces for rendering service to the nation in its hour of need. They proved themselves worthy citizens, and since then it has been unanimously acknowledged that these women who had been fighting so relentlessly for their special cause now showed unsuspected powers of organisation and efficiency in handling work hitherto done by men only. As many as fourteen hundred women's clubs sprang into existence, rendering every form of service, 40,000 women enrolled in the Emergency Corps, and early in 1917 the Women's Land Army and the Women's Branch of the Ministry of Agriculture were formed. At last the women of England were able to break through the wall of conservatism that had stood between them and their legitimate demands. It was not till they had proved themselves worthy citizens and had shown their capabilities that they could wrest from those in power what they considered their inherent rights of citizenship. In 1918, a limited form of franchise was extended to (1) house-holders

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and (2) wives of house-holders, of 30 years of age and over, and later in 1918 it was widened by the passing of the Parliament qualification of Women Act entitling them to stand for the House of Commons, a town or country council, etc., on the same terms as man. This limited form of franchise fell far short of the demands of representative women's organisations and it is worth noticing here that in spite of the deep impression left by the part that English women played during the World War legislation giving them complete equality with men voters, (known as the People's Equal Citizenship Act,) was passed as late as in 1928. This completed the formal political democracy of the English system, an ideal towards which it had been working since 1832. This is a very brief summary of what is known as the Feminist Movement of England, which has served as a beacon light for women all the world over. Once their political rights had been granted to them, women concentrated on removing all the sex disqualifications for "entering or assuming or carrying on any civil profession or vocation", and in 1919 succeeded in having the Sex Disqualification Removal Act passed. The League of Nations also recognised the principle of affording equal opportunities of self-expression and service to one and all, irrespective of sex by embodying a clause which runs as follows in the first part of the Treaty of Versailles:

"All positions under or in connection with the League, including the Secretariate shall be equally open to men and women,"

and further laid down the principle in the same Treaty

"that men and women shall receive equal remuneration for work of equal value,"

a principle which compared with that of political equality is of greater ultimate significance, inasmuch

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as it lays down the economic equality of women with men.

This recognition of women as citizens in the larger sense of the term was not confined to England, although the movement here attracted wider attention because its leaders had to resort to direct action. In America, a wide-spread agitation for equal suffrage was started in 1848 under the leadership of an organisation known as the Women's Right Convention, and later in 1869 the Nation Woman Suffrage Association of New York took a prominent part in furthering the move. Most of the states in the United States of America granted women the right to vote but it was not made uniform throughout the country till 1920, when the Congress declared that the right of citizenship of the United States shall not be denied or abridged by the United States or by any state on account of sex. After 1928 most of the European countries including Russia, have granted women the vote, the chief exceptions being France, Italy, Spain and Germany, the latter having recalled this right very recently, a step which is causing wide-spread resentment among the thinking women of Europe. In Asia, Turkey has only recently enfranchised women while China, Japan and Egypt and other countries have yet to grant women this primary political right. The British dominions of New Zealand and Australia gave women the vote in 1893 and 1902 respectively. Coming to the question of women's suffrage in India, it must be remembered that the British rulers supplanted a system of Government that was purely monarchical in character by a bureaucratic system which still holds sway in spite of a semblance of Parliamentary Democracy that has been introduced recently. Representative forms of Government based on suffrage is a product of the 19th century. In India, people were naturally unacquainted with the complicated system of Government but it is surprising

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how soon they have adapted themselves to it and have further grasped the significance of franchise as a fundamental principle of self-Government.

The rise and rapid growth of political agitation for self-Government in the country from the early years of this century made the women of India also conscious of their exclusion by British Law from any share in the Government of their land. The famous Home Rule movement sponsored by that great leader Mrs. Annie Besant and her subsequent imprisonment helped to stimulate political activity in general but it was also instrumental in creating a general political consciousness among the educated women of India. A direct proof of this general awakening was given when in 1917 the Secretary of State for India, Mr. E. S. Montagu, came out to investigate and study Indian conditions prior to the framing of a new constitution for India. Leading Indian women gave for the first time public expression to their feelings. Their first claim for suffrage was made by the All India Women's Deputation (including representatives from all parts of India) which waited on Mr. Montagu on the 1st of December, 1917, in Madras. Apart from claiming their share in the Government of the country, it brought to the notice of those who had come to devise a new constitution for India, the various reforms which women were specially desirous of recommending to Government to carry out. The paragraph setting forth the claims of Indian women will bear quotation here.

"Our interest, as one-half of the people, are directly affected by the demand in the united (Hindu-Muslim Reform) scheme (1.3) that the members of the council should be elected directly by the people on as broad a franchise as possible and in the memorandum 3 that 'the franchise should be broadened and extended directly to the people.' We pray that when such a franchise is being drawn up, women may be recognised as 'people', and that it may be worded in such terms as will not disqualify our sex, but allow our women the

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same opportunities of representation as our men. In agreeing with the demand of the above-mentioned memorandum that, 'a full measure of the Local Self-Government should be immediately granted, we request that it shall include the representation of our women, a policy that has been admittedly successful for the past twenty years in Local Self-Government elsewhere in the British Empire. The precedent for including women in modern India political life has been a marked feature of the Indian National Congress, in which since its inception women have voted and been delegates and speakers, and which this year finds its climax in the election of a woman as its president. Thus the voice of India approves of its women being considered responsible and acknowledged citizens; and we urgently claim that, in drawing up of all provisions regarding representation, our sex shall not be made a disqualification for the exercise of the franchise or for service in public life."

Although the reply given to this deputation by the Secretary of State revealed a sympathetic attitude towards the political aspirations of Indian women, all hope of women's enfranchisement for the Legislature was dashed to the ground after the publication of the Montagu-Chelmsford scheme of reforms. Although one of the reforms suggested was a definite widening of the electorates, no mention of women's claims was made. When the Southborough Franchise Committee came out in 1918, women leaders of the day carried on propaganda and constant agitation so that the Committee may be acquainted with the demands of Indian women. But their efforts proved fruitless, because in spite of all the evidence which showed the need for and the country's support of the idea of associating women with the Government of the country under the reformed constitution, the Southborough Committee did not advocate the enfranchisement of women. "By adopting this attitude the Committee definitely flouted the first term of reference namely "to advise on franchises and constituencies in each provinces with the object of securing as broad a fran-

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chise as possible .....". They denied women their rights on the grounds that social conditions made it premature to extend the vote to them. Their reasons for this attitude make interesting reading in view of the subsequent course of events in regard to this vexed question. They say:—

"In some provinces the municipal franchise includes women, but the evidence placed before us showed that it is sparingly exercised, except perhaps in Bombay city. We are satisfied that the social conditions of India make it premature to extend the franchise to Indian women at this juncture, when so large a proportion of male electors require education in the use of a responsible vote. Further until the custom of seclusion of women, followed by many classes and communities, is relaxed, female suffrage would hardly be a reality."

After the introduction of the Government of India Bill in Parliament in 1919, a Committee consisting of Mrs. Sarojini Naidu, Mrs. Annie Besant, and Mrs. and Miss Herabai gave evidence before the Joint Committee of both the Houses of Parliament supporting the demand of Indian women for the extension of the franchise to them. Parliament however, decided to leave this question to the elected Legislatures. This proved a blessing in disguise as later events showed. By equipping the Provincial Legislatures with the power to enfranchise women by a resolution in favour of its extension to women, they really unwittingly did a service to the cause of women's progress. Several legislatures very soon took up the question of enfranchising women and the results that followed showed how mistaken the Southborough Committee had been in thinking that grant of political rights to Indian women "would be out of harmony with the conservative feelings of the country." The first Legislature in British India which had the privilege of passing the women's suffrage resolution in 1921 by a consi-

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derable majority was Madras, giving women votes on the same terms as men. The spirit in which the vote was granted to women was evident from the tone of the debates, which according to a chronicler "became only an accumulation of appreciation of womanhood and an expression of faith in its future." From then onwards one province after another brought forward resolutions demanding the enfranchisement of women for their respective legislatures, while a certain section of educated women busied themselves in carrying on active propaganda outside, to rouse public opinion in favour of their demands. Bombay followed close on Madras and granted the vote to women in 1921. The United Provinces made a world suffrage record by unanimously voting in favour of the women's franchise resolution in 1923.

Bengal was unable to secure the passing of a resolution giving women the vote in 1922 but three years later the same resolution was passed by a considerable majority. Assam went a step further inasmuch as it not only enfranchised them but even gave them the right to stand for the provincial Legislature. Then followed the Punjab and the Central Provinces and in 1926 and 1927 respectively, the women of these provinces enjoyed the same political rights as their sisters in the other parts of the country. The province of Bihar seemed to be the most reluctant of all in enfranchising its women, because the first attempt at giving it to them in 1922 failed and it was not till 1929 that the Legislature passed the resolution demanding women's franchise. Burmese women were also given the right of voting in 1922. Realising that the feelings in the country were very much in favour of allowing women to vote, the Central Legislature in 1923 extended the vote for the Legislative Assembly to women of Provinces where they enjoyed the franchise for the provincial councils. Similarly the Council

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of State has this year passed a resolution granting women the vote and the right to stand for election.

This, however, was only half the battle. According to the Government of India Act of 1919, the Council had no power to remove the sex disqualification regarding women's right to ..... enter the Councils. This right was reserved to the British parliament. An agitation was soon set afoot for the removal of this disqualification and women asserted their right to enter the Legislatures at many largely attended public meetings, and also through deputations which waited on the heads of several Governments. As a result of this movement the Muddiman Committee on Franchise Reforms made a recommendation that the Legislative Assembly and the Provincial Councils should be empowered to legislate in this behalf. These recommendations bore fruit in 1921 and the clause in the Reform Bill disqualifying from entering the Legislatures on grounds of sex was abolished and the Central as well as the Local Legislatures were thrown open to qualified women. Madras, Bombay and the Punjab very soon removed the disqualification and most of the remaining provinces followed suit.

It must not, however, be imagined that it was only in British India that men were liberal enough to grant women the right to vote. Travancore was the first Indian state to give the vote to its women in 1920. It did so even before the Madras Council could pass the women suffrage resolution. The Indian States of Mysore, Jhalawar and Cochin soon followed the pioneer State of Travancore and it is well worth noting here that the three last named States have completely removed all sex disqualifications from their Statute Books.

In spite of all this, it must be remembered that the total number of women enfranchised throughout India was not more than roughly one million. The

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reasons for this disproportionate voting strength of women as compared to that of men were the high property and education qualifications. The majority of women did not hold property in their own rights, and very few of them were graduates of seven years' standing. These limitations were quite sufficient to prevent a large number of women from being placed on the electoral rolls. Even though the number of women who had gained political rights was very limited and comparatively speaking a small proportion of them exercised this right, the mere recognition of women's right to be associated in the representative Government of the country, helped to stimulate the pace of their progress. This has been demonstrated in the growing interest that is being shown by women in political, social and educational spheres.

These reforms which gave full political rights to a limited number of women were followed by a new system of Government which was expected to grant a larger measure of self-Government to the peoples of India. The place that women should occupy in this reformed constitution soon became a problem that exercised the minds, both of the framers of the new constitution and of the politically conscious women of India.

The Statutory Commission which came out to India in 1928 to draw up a scheme of Reforms laid special stress on the need for enfranchising a much larger proportion of women for the future Legislatures and said that "the beginning of a movement among certain Indian women, however comparatively few in number they may yet be, to grapple with problems which specially affect home and health and children, is one of the most encouraging signs of Indian progress, and we believe that the movement would be strengthened by increasing the influence of women at elections". This desire to increase the number

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of women electors so that "Indian women should have a direct opportunity of influencing the course of politics in the land to which they belong" was subsequently made clear by the Franchise Sub-Committee of the Round Table Conference. The Report of this Committee says : "No system of franchise can be considered satisfactory or as likely to lead to good Government where such a great disparity exists between the voting strength, of the two sexes. We feel, therefore, that special qualifications should be prescribed for women". The disproportionate strength of women as against men voters will show why such stress was being laid on special qualification for women. The following table shows the then existing proportion of men and women voters in various provinces, as noted by the Lothian Committee.

<i>Province</i>	<i>Women</i>	<i>Men</i>
Madras	1	10
Bombay	1	10
Bengal	1	16
The Punjab	1	29
Bihar & Orissa	1	62
Central Provinces	1	25
Assam	1	114

With a view to redressing this absurd position the Lothian Committee was led to recommend special qualifications for women. Of these, the first is what is commonly known as the literacy qualification, *i.e.*, every woman who can read or write in any language will be entitled to vote, the second is what is called the "wifehood" qualification, *i.e.*, the wives and widows of voters who possess property qualification will be entitled to vote. These qualifications have been the subject of a great deal of controversy. Apart from the fact that the wifehood qualification was and still is considered objectionable on the grounds that it places

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a premium on marriage and perpetuates the idea of women's dependence on man, and does not recognise their independent right of suffrage, the controversy also raged round what was regarded a heavy handicap, namely the condition that women voters who claimed special qualification would be enrolled only on making an application to the authorities concerned. It was felt that this condition would defeat the very object for which special qualifications were devised and reduce the number of specially qualified women, as few would be in a position to fulfil the latter condition.

In spite of repeated protests from all major women's organisations, the application condition has not been removed, the plea being the impracticability of registering literate women. The Delimitation Committee however, has considered this question carefully and although it has not recommended its removal, it has suggested that the Governors' Rules should definitely adopt the suggestions made by Bombay, the Punjab, Assam and Sind which are as follows:—

1. In the case of Bombay the local Government, in agreement with the Provincial Committee, propose that printed forms of application should be left in each house by village officers or others, and that so far as possible the person charged with the distribution of forms should endeavour to have them filled in there and then. The United Provinces propose to allow women to apply to be registered either by letter or through their husbands. Identification would be carried out through the agency of the husbands on whom the primary responsibility will rest.

2. The Punjab propose to arrange that applications (which need not be written in the applicant's own hand, but must be signed by her, or certified to have been made on behalf and at the request of the applicant), can be forwarded in person, by post, or by messenger, to any one of a number of specified authorities. Leaflets will be issued on a very large scale well in advance of each election, containing the electoral qualifications and similar information, and official notices will in addition be published before

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the preparation of the electoral roll, calling for applications, and explaining the position in regard to their registration.

3. In Assam, the local Government propose to instruct their district officers to issue notices widely throughout their districts through the agency of Mauzadars, village headmen, etc., to the effect that women possessing the requisite qualifications can apply to have themselves registered.

4. Sind support the procedure suggested by Bombay, and recommend further that in the case of widows, application should be accepted from their near relatives, and that at the time of the preparation of the electoral rolls publicity should be given by means of advertisements in the newspapers and the distribution of leaflets, to the fact that certain electoral qualifications can be registered only on application.

The Select Committee of the Legislative Assembly after considering the Report of the Delimitation Committee also definitely recommended that specially qualified women should be enrolled by those in charge of preparing the Electoral Rolls.

The arguments advanced by the Lothian Committee against the other objection, namely the "wifehood" qualification makes interesting reading. They say: "It is a reasonable view that marriage gives a community of interest and that in it a woman enters into a partnership with her husband which may well confer civic rights as well as domestic duties" and add, "nor does there seem any valid reason why a woman should be more under the influence of her husband because her name is in the electoral roll for one reason rather than another."

As a result, however, of these additional qualifications, however inadequate they may be, it is roughly estimated that about six million women will be enfranchised throughout India out of a total electorate of 35 million and the ratio of men voters to women will be approximately 5 to 1. Even these figures, higher though they are than ever before, show the inadequate

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voting strength of women as compared to men.

The question of the right of women to stand for election to Legislatures has been discussed in another chapter. It will be sufficient to note here that the Government of India Act of 1935 had left the question of prescribing a qualification for women candidates undecided, but the Indian Delimitation Committee have recommended that enrolment as a voter in any constituency in a province should be sufficient qualification for women candidates, nor have they recommended a differential scale of security deposit for them.

The principle of reserving seats for women was one which has never been acceptable to any of the representative women's organisations and in spite of the view held by the Simon Commission ("We do not think it is in the real interest of Indian women or of the progress of representative institutions in India, to secure the inclusion of women members by such a method") a system of reserved seats on communal lines has been introduced in the future framework of the Indian Constitution. The task of deciding as to what will be the nature of the constituencies which will return the 41 women representatives to the Provincial Legislatures of the provinces of Madras, Bombay, Bengal, United Provinces, the Punjab, Bihar, Central Provinces and Berar, Assam, Orissa and Sind, was left to the Delimitation Committee. This Committee has recommended that constituencies specially formed for the purpose of electing women members should be created. The arguments advanced in favour of these special constituencies are numerous and some would hardly stand the test of logic but they are in the main as follows :—

"We wish to provide a representative electorate, and to ensure that the constituencies in which the women's seats are filled are small and select, and so framed as to

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minimise the difficulties of canvassing (particularly marked as a result of social conditions still prevalent in many parts of India), the hardships of communication in rural areas in that country, and the obstacles likely to be met by a member in maintaining contact with her constituents."

These special constituencies will consist of men and women voters, except in the Moslem women's constituencies in Bengal, Behar and the Punjab and in general constituency of Assam, which will be composed of women only.

The creation of these special constituencies again stresses the tendency to segregate women into a separate compartment and it is indeed unfortunate that the Committee could not accept the other alternative of reserving seats for women in the fuller territorial multimember constituencies. The local Governments of Bombay, United Provinces, Bihar and Orissa and Central Provinces were unanimously in favour of this proposal but the Committee adhered to special constituencies for women, partly for the reasons stated above and further because they felt that in the event of an election petition in a multimember constituency against a man candidate, consequent on malpractices on the part of one of his supporters, the election of a successful women candidate of that constituency would also be affected for no fault of her own. This hardship could have been easily provided against by law and should not have stood in the way of allowing women to represent full-fledged territorial constituencies. This pampering attitude towards women will in no way help to create self-confidence in them and it is feared that notwithstanding the proposed aim of the Committee to secure "quality rather than quantity" these special constituencies will help to bring about the reverse state of affairs. One can only hope that women who command the confidence of the people will seek election not only from the special but

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also from the territorial constituencies which they are not debarred from contesting. As the need for women representatives of rural areas has been emphasised by several local Governments, the Delimitation Committee has recommended that rural seats be reserved wherever possible. This will necessitate a study of rural conditions by women desirous of contesting these seats and it is very important that they should have a complete grasp of the problems and requirements of rural electorates.

A study of the latest figures available giving the percentage of women voters who went to the polls shows that they have not yet taken full advantage of their electoral right.

### WOMEN VOTERS

#### *A—Provincial Legislative Councils*

Province	No. enrolled	No. enrolled in contested constituencies	No. who voted	Percentage of Col. 4 on Col. 3
Madras ...	127,969	98,680	17,836	18.1
Bombay ...	47,256	35,877	2,331	6.5
Bengal ...	Figures	not recorded		
United Provinces ...	56,224	31,360	1,208	3.9
Punjab ...	25,199	14,907	840	5.6
Central Provinces & Berar ...	7,679	3,926	347	8.8
Bihar & Orissa ...	6,924	4,229	229	5.4
Assam ...	2,324	1,314	85	6.5
Burma ...	124,404	100,275	13,774	14.0

#### *B—Legislative Assembly*

Madras ...	19,491	10,338	1,194	11.5
Bombay ...	5,644	2,617	34	3.2

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Bengal ...	16,360	198	Not recorded	
United Provinces ...	7,424	3,175	106	3.3
Punjab ...	3,413	2,193	165	7.5
Central Provinces & Berar ...	931	40	-	-
Bihar & Orissa ...	1,676	810	25	3.0
Assam ...		Figures	not	recorded
Burma ...	5,960	Not separately recorded		
Ajmere-Merwara ...	Nil		-	
Delhi ...	-	Not separately recorded		

These figures make melancholy reading. In view of the leniency and generosity with which the vote had been conceded, to women this apathy has been much commented upon. This lack of response, however, is due to the fact that representative forms of administration are new to India and will be some time before even the entire adult male population can grasp the full significance of the vote. Women will naturally take time to understand the implications of their electoral rights, unless active steps are taken to educate and train them. Besides they have not had the same opportunities of political education as men, who first learnt to handle electoral machinery as early as the later half of the 19th century.

It has been said that Local Self-Government in India is a representative organisation, responsible to a body of electors enjoying wide powers of administration and taxation and functioning both as a school for training in responsibility and a vital link in the chain of organisms that make up the Government of the country. Municipalities and District Boards form the basic units on which rests the superstructure of the large administration of the country, and if women

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are to participate in the discharge of civic duties and to realise their civic and political responsibilities, they must acquaint themselves increasingly with the working of these local bodies and exercise their right of franchise as well as that of entering them. It is through these bodies that people's primary needs like Health, Sanitation, Education, etc., are provided. Since woman's domestic duties have familiarised her with such needs and their fulfilment, she should have an advantage over men in tackling problems which though affecting larger areas than her domestic circle, are of a similar nature. While, she cannot and should not be apathetic towards the wider problems of administration, it is essential that women should be thoroughly conversant with the work of Municipal Committees in the urban areas and District Boards in the rural areas. Apart from serving as training grounds for wider responsibilities, the work in these departments of administration is of vital importance to the day to day existence of a nation.

It is difficult to ascertain which of the 700 Municipalities and over 200 District Boards in India have enfranchised women but most of the provinces have extended the Municipal franchise to them and in the presidencies of Bombay and Madras and in the United Provinces and the Punjab there have been women councillors who have done valuable work in the cause of social reform. But their numbers are few and only prove the need for a pushful drive in these directions by women's organisations.

In conclusion one can only add that the enfranchisement of women merely for the sake of recognising a right loses all save an ornamental significance, if this does not also call into being a keen realization of corresponding responsibilities. The gaining of the vote will prove meaningless if it does not open up to women new opportunities of services and of

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self and national development. Women should realise that the vote is not an objective in itself, although it is that consent, which is said to be the basis of that final legal repository of the social will, the State. It should help to make women conscious citizens with an active sense of responsibility participating not only in the administration of the country but fulfilling their roles in all "the numerous forms of associative and institutional life of the Community". Otherwise the right to vote will degenerate into a useless, or even a dangerous, potentiality. France is an illustration of just the reverse situation, where women enjoy the fullest liberty in the various functional organisations of the country but they are deprived of the political vote. This hampers them to some extent but it has not prevented them from enjoying that liberty which is essential if human beings are to rise to their fullest stature. This note of warning here has been struck to remind ourselves that in countries where the parliamentary system has been tested for some time it is now openly acknowledged that "a democratically elected parliament can be, at best only *one* vital expression of the consciousness of the community", and therefore while fully utilising the primary right of franchise, and participating in the active administration of the country, the other social institutions and associations which form as vital a part of the total life of the community must not be neglected.

## WOMEN UNDER THE NEW CONSTITUTION

*By AMRIT KAUR*

Before analysing the position of women in the New Constitution it will be interesting to review the part that the organised women of India have played in this connection by examining in detail the demands put forward by them regarding women's franchise and status in the changed order and comparing the same with what is actually going to obtain under the India Act of 1935.

As soon as the idea of a Round Table Conference composed of representatives from Great Britain and India had taken shape, women's organisations put forward their claim to being represented on it by women of their own choice. The question of choice was not considered but two women were nominated by Government in the autumn of 1930 to attend the R. T. C. in London.

Early in 1931 a representative gathering of Indian women met in Bombay under the Presidentship of Mrs. Sarojini Naidu and drafted a memorandum (known as Memorandum I) on the status of Indian women in the proposed New Constitution of India which, after due circulation among their branches, was adopted by the three main women's organisations of the country, *viz.*, the All India Women's Conference, the Women's Indian Association and the National Council of Women in India and sent to the authorities concerned.

This memorandum embodied the following main demands :—

- (1) The removal of all sex disqualifications.
- (2) The immediate acceptance of the principle of Adult

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### Suffrage.

- (3) The unequivocal refusal to accept special expedients for securing the presence of women on Legislative and Administrative Institutions.

In regard to the first mentioned the Indian National Congress declaration of the fundamental rights of citizenship in India under the future constitution was unanimously endorsed. It runs as follows :—“Equal rights and obligations of all citizens without any bar on account of sex. No disability to attach to any citizen by reason of his or her religion, caste or creed or sex, in regard to public employment, office or power or honour, and in the exercise of any trade or calling.”

The immediate acceptance of the principle of Adult Suffrage was supported not only by the argument that an adequate number of women could not be enfranchised under either property or educational qualifications in the existing circumstances but also because it was the only system which would, generally speaking, give a voice in the governance of the country to the poor who constitute India’s main population.

In the matter of representation it was felt that if practical equality were secured for women in the domain of franchise, they would be able to find their way into the Legislative and Administrative Institutions of the country through the open door of ordinary election, and no special expedients such as reservation of seats, nomination, co-option or separate electorates would then be necessary. It was sought to avoid the communal virus from the very beginning.

In May 1931 a deputation on behalf of the All India Women’s Conference waited on the Viceroy, His Excellency the Earl of Willingdon, to demand the presence of elected women representatives at the R. T. C. and a panel of names was submitted. The request was not acceded to but as Mrs. Sarojini Naidu, whose name appeared first on the above mentioned panel, left India

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in August to attend the Round Table Conference, the Women's Organisations at once cabled to the authorities concerned that she would be their spokes-woman in all matters pertaining to their status in the New Constitution. Unfortunately, however, during the Sessions of the Conference at which she was present the questions of franchise and representation never came up for discussion.

The Franchise Committee under the Presidentship of Lord Lothian came out to India in the Winter of 1931-32 and in the Spring of 1932 the Standing Committee of the All India Women's Conference met at Delhi in conjunction with representatives of the Women's Indian Association to consider the questionnaire issued by this Committee. A Memorandum and answers to the questionnaire were framed for submission, circulated to the various branches for approval, and certain members were elected to give evidence before the Committee in various Provinces on the lines of the policy enunciated in the Memorandum. In addition a "Declaration" was issued to the Press and sent to the Governments in India and England by representatives of the All India Women's Conference and the Women's Indian Association in which they reiterated their firm belief in the principles enunciated the previous year in their Memorandum I.

By this time it was common knowledge that one of the proposed methods of enfranchisement of women—proposed originally by the Indian Statutory Commission—would be by means of the wifehood qualification and that, perhaps, a "mere literacy" test might also be considered. By the wifehood qualification those women would be made eligible for the vote who were either wives or widows of men who had the right or would have had the right of voting on the basis of a property qualification. In the Memorandum submitted to the Franchise Committee, therefore, the All India Women's

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Conference gave their objections in detail to these proposals. They said that "any attempt to solve the question of the proper enfranchisement of women that is based on any test of the possession of property through a male relative must necessarily be foredoomed to failure as it would tend to perpetuate the idea of the dependency of the women on the man, thereby striking at the very root of the principle of equality of the sexes for which the womanhood of the country was struggling." Moreover, they looked upon the idea of enfranchisement through property qualifications as a highly undemocratic principle, particularly in a poor country like India, and one scarcely suited to the vision of a united federal India in which women were surely destined to play an important part. The literacy qualification was unacceptable inasmuch as no real standard of "literacy" can be said to obtain amongst the women of India, nor can "mere literacy" ever be said to be a test of real education any more than it can be said to presuppose an intelligent vote. It was accordingly suggested that adult suffrage by means of the "Group" system might be accepted meanwhile. Women felt, and nothing has so far changed their opinion, that such a system could be made applicable without appreciable difficulty to both urban and rural areas, that it was a simple method and, therefore, eminently suited for and adaptable to the needs of the simple masses of this country, that it would afford equal opportunities for all, irrespective of any impediments or distinctions of any kind, that it would inculcate a democratic sense as also a due consciousness of responsibility among those entrusted with new opportunities, and that it would lay the sure foundation of a truly responsible Government representative of the people as a whole. The memorandum stated definitely that the All India Women's Conference was "not in favour either of separate constituencies for or any distinctions of any kind between primary and secondary voters,

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forming, as these would, the general electorate in any area.” With their avowed disapproval of special expedients of any kind women’s organisations were definitely against the special representation or nomination or co-option of any class or community and were themselves perfectly prepared to take their chance of being returned to the Legislatures of the country through the open door of election through a system of Joint Electorates.

The Report of the Indian Franchise Committee having been published in July 1932 the Standing Committee of the All India Women’s Conference published a Statement thereon at their half yearly meeting at Nagpur in July of that year in the course of which they said:—“Inasmuch as the basic principles in the matter of the franchise for which Indian womanhood stood and stands to-day and which they enunciated with such constitutional force and unanimity before the Committee during its itinerary throughout India have been side-tracked or rejected by its findings we cannot but confess to a feeling of utter disappointment with the report of the Committee as a whole and the complete scheme for the basis of the franchise now promulgated by it.” Adult suffrage or any system based thereon was definitely rejected without any convincing reasons, recommendations regarding voting qualifications varied from Province to Province as also between the sexes and between one section and another, the wifehood “qualification” whereby the largest number of women were to be enfranchised was unreasonably persisted in, indirect election was proposed for the popular house of the Federal Legislature, while the Committee’s proposals embodying the representation of “special interests” and the creation of separate class or caste electorates in the future polity of an already distracted country were such as were bound to meet with the unqualified disapproval of women’s organisations who had from the beginning

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stood out against the reservation of seats or other expedients which would result in bringing women into the communal arena. The announcement of the "Communal award" in August was only a fulfilment of general expectations and called forth a very strong protest from the All India Women's Organisations.

The Spring of 1933 heralded the publication of the Joint Parliamentary Committee's Report in what was known as the White Paper. Its proposals with regard to women's franchise and their status in the New Constitution were found to be wholly inadequate and unsatisfactory and, in some respects, did not go even as far as the recommendations of the Franchise Committee. In March 1933 representatives of the 3 sister organisations met once again in Bombay and decided that, as their original demands had been totally rejected it was incumbent on them to proffer such alternative proposals for an intervening stage as would enfranchise women on as large and equitable a scale as possible and offer them opportunities for service in the Legislatures of the country without enforcing their entrance into these on a communal basis or through separate electorates. The result of these deliberations was Memorandum II which was issued in June 1933. Three representatives were also elected to give evidence on the basis of it before the Joint Select Committee in London. This Memorandum together with a supplementary statement written by the elected representatives in order to amplify the former were placed before the Parliamentary Committee and contained alternative proposals as follows:—

1. The necessity for the specific recognition of woman's inherent right to citizenship and equal opportunities for service by the inclusion in the Declaration of Fundamental Rights a statement that Sex shall be no bar to any public employment, office, power or honour and in the exercise of any trade or calling was

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again strongly pressed.

2. Until such time as the ultimate goal of adult suffrage is attained it was proposed that women should be enfranchised in the following manner:—

- (a) By the mere literacy test which would enable about 12,55,000 women to become voters whereas the Upper Primary Standard recommended would only enfranchise 5,00,000.
- (b) By the same property qualifications as men and their eligibility to vote at elections to both Provincial and Federal Legislatures in order to enable about 20,00,000 women to be enrolled.
- (c) By adult suffrage in urban areas which would enable approximately 4½ million women to be enfranchised.

3. Strong exception was taken to the proposed system of indirect election to the Federal Assembly.

4. The reservation of seats on a communal basis was again stoutly opposed.

5. A system of Joint Electorates was strongly supported as before so that women might be permitted to give the lead in a matter which was of vital concern to the true welfare of the nation.

6. Direct election was advocated everywhere.

The India Act is now on the Statute Book of England and has been received with a singular lack of enthusiasm on the part of any section in India. Its enactments as a whole were a foregone conclusion inasmuch as truly representative Indian opinion had never really been sought to be understood or met even half way, while decisions have been arrived at which, with the best political verbiage, can in nowise be

The definition for "Urban areas" given in the Indian Franchise Committee's Report on P. 43, para. 91 was accepted in order to include a large number of rural women.

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camouflaged into being ostensibly for the benefit of India. It has been said by sponsors of the Act that with all the good will in the world it would have been impossible for any Government in England to do any more for India and that Indians ought to be grateful for a measure which is a real step forward towards the ultimate goal of self-Government which India desires. Women have even been accused of ingratitude for not being thankful for all that has been done for them! It has also been said that the Act has had to be a compromise because of the stout opposition which any suggestion of reform for India calls forth in England. It is, however, a little hard, to say the least, to understand how India can welcome a compromise which has been made on all points with those who are opposed to any progress for her!

The position of women under the Act is mainly as follows :—

1. *Sex and Fundamental Rights.*—A clause has been inserted in the Bill that “a person shall not be disqualified by sex from being appointed to any civil service or civil post under the Crown in India” other than such a service or post as may be specified by any general or special order made by the Governor-General, the Governor of a Province or the Secretary of State.

2. *Franchise.*—The electorate to-day numbers 7 million persons and the proportion of women to men voters is approximately one to twenty. Under the new Act, with the additional qualifications prescribed for woman the proportion on paper will be, roughly, one woman to every five men voters. The new electorate will be approximately 35 million. The total men will be just over 29 million and the total women will be just over 6 million. The percentage of the electorate to the total population is just under 14 % and the percentage of the total adult population is 27 %. The percentage of the total male electorate to

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the total adult male population will be about 43 % and similarly of women 8.9 %. The position of the women's electorate will be roughly, 20,00,000 qualified by property, 40,00,000 by wifehood and 3,00,000 by education.

Women of 21 years of age and over will be eligible to vote as follows:—

- (i) Those who hold the same property and taxation qualifications as men. These differ according to the Provinces.
- (ii) Those who are able to read and write in any Indian language or dialect in common use in some part of the country.
- (iii) Those who are wives and widows of those possessing or who would have possessed the necessary property qualifications.
- (iv) Those who are wives and widows of those who were in the previous financial year assessed to the necessary income-tax.
- (v) Those who are the wives, pensioned widows or pensioned mothers of an officer, non-commissioned officer or soldier of His Majesty's regular Military forces and
- (vi) those who are wives and widows of a retired, pensioned, or discharged officer or soldier of His Majesty's regular Military forces.

Except in the case of women who hold the necessary property or taxation qualifications in their own right it has been enjoined on them that they must apply to be enrolled as voters though this condition also varies from province to province. Eligibility for enrolment as a voter by means of the qualification of literacy will be granted to women on application in every Province but in the Provinces of Bengal, Bihar, N.-W. F. and Orissa this shall not operate until after the first election. An amendment was sought to be moved asking Government to alter women's qualifications before the second election if it was found that the proportion of women

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electors fell short of the expected ratio. The amendment was not accepted as it stood but the Secretary of State gave an assurance that the Government would introduce an amendment in the House of Lords providing that before the second election the condition of application for wife voters should be withdrawn in all provinces except "the few in which social conditions made too quick an advance dangerous and this has been carried out."

### *Representation and Election*

Seats will be reserved for women in both Federal and Provincial Legislatures on a communal basis. The election thereto in the Provincial Legislative Assemblies will be by means of communal electorates. These latter will be joint, of men and women in most cases but there will be communal electorates of women only in the case of certain seats reserved for Muslim women, e.g., in the Provinces of Bengal and Bihar. In the case of Assam, however, there will be a separate women's electorate without any communal distinction to vote on the one general seat reserved there for a woman.

### *Upper House of the Federal Legislature*

The Provinces of Madras, Bombay, Bengal, United Provinces, Punjab and Bihar have each one seat for women allotted to them in the Council of State. The woman to fill that seat shall be chosen by the persons, whether men or women, who hold seats in the Chamber or, as the case may be, the Chambers of the Legislature of that Province. Women voters will be entitled to vote for men members standing for election to this House but no additional qualifications have been prescribed for them. The general qualification being rather high and mostly based on property the number of women voters is bound to be very small. As far as men are concerned

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there will be direct election for them to this Chamber. The women's seats for Bombay and the U. P. will be filled for 3 years only—those for Madras and Punjab for 6 years and those for Bengal and Bihar for 9 years.

### *Lower House of the Federal Legislature*

Nine seats have been reserved for women in this Assembly. Men will be elected to this Chamber by the Provincial Legislatures but for women a special electorate of women, composed of all the women members in the Provincial Legislatures has been created. Owing to the anomaly of indirect election having been prescribed for the popular house of the Federal Legislature the question of Additional qualifications for women voters does not arise. Of these nine seats it has been laid down that at least two are held by Mahomedans and at least one by an Indian Christian. The Provinces are represented as follows in this House:—Madras and Bombay will have 2 women representatives and Bengal, U. P., Punjab, Bihar and C. P. one woman representative each respectively.

### *Provincial Chambers*

Madras, Bombay, Bengal, United Provinces, Bihar and Assam will have upper Houses (Provincial Legislative Councils). In these no seats have been reserved for women but during the course of the debate on the India Act in Parliament the Government intimated that Governors would be recommended to fill some of the seats allotted to them for nomination by women.

In the Provincial Assemblies with the exception of the North-West Frontier Province seats have been reserved for women in the following manner. Madras has 8 women's seats; 6 General, 1 Mahomedan and 1 Indian Christian. Bombay has 6; 5 General and 1 Mahomedan. Bengal has 5; 2 General, 2 Maho-

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median and 1 Anglo Indian. The U. P. has 6; 4 General and 2 Mahomedan. Punjab has 4; 1 General, 1 Sikh and 2 Mahomedan. Bihar has 4; 3 General and 1 Mahomedan. The C. P. and Berar have 3 General. Assam has 1 General. Orissa has 2 General. Sind has 2; 1 General and 1 Mahomedan. In addition to the seats definitely reserved for them women are not precluded from contesting other seats in any general election for any Chamber.

It will be seen from what obtains in the India Act that even the alternative proposals put forward by the women's organisation in the forlorn hope of a reasonable compromise on a matter which concerns them vitally have been wantonly rejected. The main excuses in the case of women have been "administrative difficulties," inability on the part of Indian men to come to an agreement over the communal question and the fact that in the opinion of Government "Social conditions make too quick an advance dangerous."

The sex bar has not been removed; the wifehood qualification has been imposed on women thereby denying to them their inherent right of citizenship and doubling the vote of a section which is conservative and orthodox and, generally speaking, opposed to all progressive reforms; adult suffrage, even in urban areas, has been turned down and no attempt made to set India on the right path towards attaining the acknowledged ultimate goal of universal adult suffrage; additional voting qualifications have been granted with the handicap of the condition of application which will certainly reduce the numbers of women enrolled; seats have been reserved on a communal basis; separate electorates have been forced on them against their united demands; women have been altogether ignored in certain Provinces; indirect election will obtain for the popular house of the Federal Legislature.

Through the loyal and unstinted help of friendly

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women's organisations in England, some Labour and women members of Parliament and Lord Lothian several amendments relating to women on the lines put forward by Indian women's associations were tabled during the debate but the defeat of nearly all such was not a matter of surprise in this country.

It now remains to be seen how Indian women are going to conduct themselves in such cramped ways as will be open to them in the new order. There will certainly be some who will refuse to have anything to do with a constitution which has denied to the country its birth right and to them their rightful place and imposed conditions which they hold are contrary to the principles for which they have stood and to which they will continue to adhere. There will however, be others who will exercise the right to vote and wish to enter the Legislatures in order to push forward social reform and in the hope that they may help to have the constitution altered as soon as possible in the manner best suited to Indian thought and aspirations. How much those of the latter way of thinking can or will achieve the future alone will show. In any event it is devoutly to be hoped that those women who co-operate with the new order will exercise the right of franchise in a manner which will redound to their credit by casting their votes always in favour of the best candidates and that they will rise above all barriers of class, creed, caste and community by throwing in their full weight on the side of all measures which are calculated to ensure the well being of the masses and opposing all such as obviously tend in a contrary direction. In this way alone will their presence in the Legislatures or their right to have a voice in the governance of the country be justified and in this way alone will they be able to serve the motherland so as to enable her, at the earliest possible moment, to come in to her rightful heritage of free and unfettered Swaraj.

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*The Indian Delimitation Committee's Report* has just been published and the following is a brief resume of their findings regarding the reserved seats for women in the Provincial Legislative Assemblies.

Special constituencies have been suggested for all women's seats and the Committee have definitely reported against rotation so that the area of the constituencies will remain as recommended until such time as the constitution is altered in this or in other respects.

### *Bengal:—*

The 2 Mahomedan seats are to be located in Calcutta and in the Dacca and Narayanganj Municipalities respectively.

The 2 general seats are in Dacca and Narayanganj Municipalities and in a special constituency in Calcutta (for details of this see Appendix VI of Vol. II of the Committee's report) respectively.

The 1 Anglo Indian seat is to be reserved in a four member constituency comprising one woman's seat and 3 ordinary seats allotted to that community as a whole—the area of which will be the whole of Bengal. Voting will be by post save where the Anglo Indian population is compact when it will be direct.

### *Bombay:—*

The 5 general seats are distributed as follows:—

Bombay City .....	{ Girgaum ward .....	1
	{ Bhuleshwar ward .....	1
Ahmedabad City .....	.....	1
The municipal borough of Poona City excluding the suburban and cantonment areas Ranebennur Taluk in the Dharwar District.....	.....	1
		1

The 1 Mahomedan seat is allocated to the Girgaum ward of Bombay City.

### *Madras:—*

Three general Urban seats have been assigned to Madras City, Ellore and Tellicherry *cum* Calicut.

Three general Rural seats to Cuddalore, Bellary and Dindigul Taluks (including in each case the Municipality).

The 1 Mahomedan seat has been allotted to Madras City.

The 1 Indian Christian seat to the Municipalities of Tinnevelly, Palamcottai and Tuticorin.

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The 1 Mahomedan Rural seat has been assigned to Moradabad District—North-East.

The 1 Mahomedan Urban constituency will be Lucknow.

One general Constituency will be Meerut District—North.

” ” ” ” Benares.

” ” ” ” Fyzabad District.

” ” ” ” Cawnpore District—East.

### Punjab:—

The 1 Sikh Constituency will be the District of Amritsar.

The 1 General ” ” ” ” Municipality and Cantonment of Lahore.

One Mahomedan ” ” ” ” Lahore City (within the Circular Road).

” ” ” ” Lahore City and Cantonment (outside the Circular Road—with the addition of Baghban-pura *cum* Bhagiwal Municipalities).

### Bihar:—

One general seat will be located in Patna City Municipality.

Mahomedan

The 2 other general seats will be in Muzaffarpur and Bhagalpore Municipalities respectively.

### Central Provinces:—

The 3 general seats in these Provinces have been assigned to:—

(a) Amraoti—Akola

(b) Jubulpore

(c) Nagpur

### Assam:—

The 1 general seat is assigned to the Town and Cantonment of Shillong.

### Orissa:—

The 2 general seats are allocated to the municipalities of Cuttack and Behrampore respectively.

### Sind:—

The 1 general seat has been assigned to selected wards of

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Karachi City plus 2 selected wards in Hyderabad City.

The 1 Mahomedan seat is assigned to selected wards of Karachi City.

Regarding application for being registered as voters by wives qualified to vote on their husbands' qualifications the Committee have recommended that application by the husband, the entry of the woman's name as "wife of A. B. C." and application by letter should be adopted in all Provinces without exception.

As regards polling the Committee are of opinion that local Governments should spare no effort to arrange that, at any rate, in the special women's Constituencies a woman should be in attendance at each polling booth and that, where practicable, separate polling booths with a female staff should be provided.

A. K.



## **FUTURE OF INDIAN WOMAN**



## FUTURE OF INDIAN WOMEN'S MOVEMENT

*By KAMALADEVI CHATTOPADHYAYA*

The future is a nebulous thing full of possibilities and coloured by romance. We hold it in the palms of our hands, we press it to our hearts with secret wonder and joy for it is our very own, a creation of our dreams, a realisation of our hopes, a fulfilment of our age-long aspirations. It is a reality and yet an unreality. It is bound by the past as the tree is by the earth. It can only burgeon into blossom and fruit. It is held a prisoner in the coils of the present as a child in the womb of the mother who, with the fire of her mother hunger, shapes it that she may live her treasured hopes through it. Man is what he is because he has created a future. Even as nature has carved out the seasons to drink fuller at the founts of life and seek perpetuation man has carved out a past, present and future out of a chaotic nothingness. The future is his strength in failure, his beacon light in the darkest gloom. Without a future life would cease to have a meaning. The past is a dead thing; the present a chain that seeks to bind us; but the future—it is the free untrammelled wonder—life where sorrows and cares cease and man becomes a lovelier and nobler thing. Religions have created other worlds of beauty beyond the pale shadow of the earth to colour many visions with the lure of life to come. Seers have painted Utopias with man and life transformed to fill man's mind with courageous hope and romantic solace. To write of the future is an exciting task. The very boldness has unique exuberance which like the magician's wand changes the dull dross of bitter yesterdays and the sorrowful to-days

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to the quivering opalescent hues of tomorrow.

As the future is but a part of the past we need to trace the historical background before we take a leap into the future. But before we proceed to paint the role woman has played or will play, we must first of all disabuse our minds of that ridiculous myth of a "female," biologically and physiologically weak and inferior and consigned her to oblivion. To deal rationally with the Women's question one needs not only a chronological historical knowledge but biological facts as well. Sex existed even before man was and life can continue to exist without sex in the simple unicellular creatures. Why then did sex happen? Because "it seems a rule of living matter that it cannot go on for ever growing and splitting up without becoming vitally exhausted and this exhaustion is counteracted by the physical mingling of two individuals." Sex is not merely for reproduction, but also for an "increased ability for variation whereby the offspring has a greater reservoir of characteristics upon which to draw and in consequence an exalted chance of success in the struggle for existence." The division of the biological function and an attempt to enrich it led to the formation of the sex—male and female, the two aspects of one life force. But man in his ignorance built up crooked, unhygienic superstition and dark irrational theories which are now being fast battered down by scientific facts.

The history of woman is not always a well ordered process following our traditional conception of evolution from the dark winter of primitivism to the exuberant spring time of Americanism. It is rather like the moods of nature from gentle ide dawn to burning moon and pastel tinted twilight, and then out of the travail of a star-spangled night a golden morn. Though we may take it that the more cultured a society, the more natural the position of woman, we cannot take the word 'culture' to mean modernism or material advance-

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ment. We are often deluded into thinking that women in primitive and tribal society are degraded and their lot harder. On the contrary very often their position is more advantageous than that of women in so-called civilized society, though the standards may vary. Savages rarely verge so much on the brink of starvation as we do. Even to-day women in Polynesia or Madagascar or other similar tribal tracts enjoy more equality with men and wield more influence in their society than women in most countries. The economic structure of primitive society is simple. Men and women shared their labours and gains. It is the rise and accumulation of private property and the incidental complications that come in its wake that changed the position of women.

The history of India must be viewed against the huge shadows of a lost eastern world of Egypt, Babylon and Asia Minor. The history of their women is the same as ours. On the threshold of human history stand kingdoms based on agriculture each of them developing a religion where feminine power as the supreme goddess of fertility is worshipped. In India the incarnation of power and strength is "Shakti", the giver and preserver of life. Women enjoy equal status with men. We have the rise of matriarchy in some parts where woman becomes not only the head of the family but the owner of real property and only through her is inheritance transmitted. But these simple natural states are changed and modified under the rising pressure of new complicated economic forms and the growing cultures conditioned by these reactions. Then arise vast empires out of the lust of man for military glory, thirst for adventure, desire for conquests and in any society where warfare is regarded as the highest form of male activity woman gets degraded, for the degradation of woman is but the enslavement of the forces of life by the forces of death.

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The division between the classes sharpen, vast masses of humanity are oppressed and exploited by the few rich. Manual labour becomes the hallmark of degradation and the lot of the majority, on whose sweated labour the minority who develop a parasitical existence begin to live and thrive. Idleness clasps its manacles tight on the hands of the women of this upper leisure class and they become its saddest victims. They are deprived henceforth of their legitimate practical sphere of activities and while the millions of toiling women are being sealed up in darkness and hunger, the rich are being sealed up in luxurious prisons of marble and precious stone equally doomed only to pompous idleness. Over-work and under-work henceforth go hand in hand in the process of degrading women and shaping their history. Sex is no more so binding as class.

In the meanwhile men seek new pastures to fill their idle lives but deny entrance to the women folk. Thus while man's sphere expands, in direct proportion to it the woman's contracts. In the lustrous empires of Greece and Rome men regaled themselves in intellectual pursuits, isolating the women for reproductive purposes, to produce soldiers for imperial conquests and statesmen to shine as rulers, little dreaming that within this vicious system are hidden the seeds of decay and destruction. New social codes and epics are now made, new customs and usages, fortifications behind which men entrench themselves to safeguard their undue privileges. Thus arises the double standard of morality, a high severe code for the woman who is to be henceforth the preserver of the home, of society's morals, while man in his romantic garb of fickleness and vagaries goes gallivanting about. Religions gradually fall into line with this frame work. Shastraic injunctions, biblical epistles and Quranic sayings are all interpreted to serve one purpose—fasten the door of seclusion more firmly on women. The history of man

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is re-written to initiate it with his fall by a woman in the garden of Eden and woman for ever branded as a temptress and sex an unclean thing. Faithfulness to husband becomes the supreme virtue when all else can be forgiven. The greater the submission to man and his tyranny, the surer the road to heaven. Woman is of the man, but man is not of the woman. The taboos appear making of sex an ugly dark blotch on the fair face of man. Woman ceases to be an individual. She is the mysterious "female" veiled and desired, an object of sensuality, a weak helpless piece of human flesh denied a soul. The richer and necessarily "Respectable" the class the sterner the code, the greater the seclusion for women, the more helpless and pitiable their condition.

The more complex the civilization and sharper the division of classes, the greater the economic and social struggle and the greater the trade in women. The need of exploitation bears many evil fruits but few so vicious as prostitution. In primitive society the good of one woman was the good of all, the good of all the good of one. But in civilized society the growth of individualism and the assuming of personality tends to emphasise individual needs and desires as apart from common group life. But these new desires and rights man jealously regards as his own preserve and in order to avoid conflict and ultimately surrender and compromise with woman, denies her the right to self-expression and individual development. He is content to keep his wife a "Domestic Matron" which signifies not so much capacity to run a home successfully as being devoid of intellectual alertness, wider interests and of all those qualities which make for a pronounced character. Women who develop these characteristics become "shady" and "doubtful" characters to whom the respectable doors are shut. A class of women is henceforth created to satisfy man's need for vivacious and

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intelligent companions. This usage of some women selling themselves that others may remain dull sheep and virtuous becomes a recognised and regulated feature of social life in every civilized country, a thing unknown in the primitive World. While the upper few were building up high philosophies and abstruse religions, the toilers below were little tarnished by their ethics and codes, though at times they did attempt to borrow bourgeois morals. But before their grim struggle for bread all else pales into insignificance. They are bound not so much by the pale shadows of the past as the stern realities of to-day. India is still in the grip of a decaying semi-feudalistic order. Industrialisation which made such severe onslaughts on it in the countries of the West, hammering in a new social order and new changes for women has barely scratched the surface of Indian life. Our society has lost its ancient contours. It is to-day a jangled mass of heterogeneous elements with a medley of reactions which are gradually becoming perceptible as a conflict between the old dominating forces of reaction and exploitation and the new scientific and rational urge towards emancipation from all forms of slavery.

The feminist movement in the accepted sense is a symptom of Capitalist society and has no place or reality in a mass class struggle such as one visualises India to be heading for. And that is why it has never assumed the significance it did in the countries of Europe. Social customs and the position of women are conditioned not merely by the prevailing economic frame work of society, but by the whole economic history of the race. This then gives us the key-note to the future of the Women's movement in India.

Before we proceed let us first glance cursorily at the demands the feminist movement in India puts forward and see how far it touches the deeper problem and what relation it has to reality. Equal citizenship

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rights is already a recognised principle. Next come economic independence for women and property rights. Let us examine these. The right to work is essential to human happiness, but the need of the mass of Indian women to-day is not the "right to work" but the "right to the legitimate fruit of their labour." To the millions to-day, economic independence only means the right to slave and starve, while their uncared for, underfed children drag through an existence which is nothing short of a living death. Thus those who clamour for the right to work think only in terms of the few who are bound by the chain of idle respectability. As for property rights, India is essentially an agricultural country and 75 % of her population is engaged in rural occupation. Over 53 % of these are landless labourers and are unaffected by the property rights. Of the total cultivable land, nearly  $\frac{1}{3}$  is under semi-feudalistic condition, being under Maharajas and Zamindars, a confirmed parasitical class under whose régime the cultivators fare little better than slaves. Then for those who own land—their plight is no better. The average holding per family is 2 to 4 acres, which makes it more of a burden under the prevailing burden of high taxation. The lot of the women in industries is no better.

Therefore to demand property rights and economic freedom by the few bourgeois women within the present economic frame work is not only misleading, but distinctly dangerous for it means trying to secure privileges to one class at the expense of another and condemning the latter to perpetual exploitation. Economic freedom in its truest sense can become a reality only when there is a more scientific and rational system of production and distribution and the forces of economic progress which they set into motion are consciously guided.

On the social side the demand is for more rational

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and equitable laws relating to social relationship such as marriage, custody of children, etc. Now history proves that in a society where woman is an economic factor and she produces wealth side by side with man, she enjoys fuller freedom and suffers far less from restraints and taboos. Social disabilities are more a feature of bourgeois society than the working class who even to-day give more rights to the women such as divorce. Hence any advantageous economic adjustment for women is bound to secure for them social freedom as well, just as loss of economic freedom necessarily means the loss of social rights as well. The condition of women in Russia and the contrasting conditions in Germany and Italy proved this as an unchallenged fact.

Now we come to the question of general culture, physical well-being and social purity—education, health and social morals,—they are inextricably bound up. Education and health are just as much governed by economic factors. Making Education compulsory or promulgating Sanitary codes cannot touch even the fringe of this immense problem. It is nothing short of cruelty to compel starving and half-fed children to study; nor can poverty make for cleanliness much less to fit women up to become mothers. “The fact that a woman has no work and no one to care for her is the fundamental social cause of prostitution,” declared Ssyemashka, people’s Commissary for public health in Russia. The cause and spread of prostitution has already been explained. The feminist movement tends to deal with it more from the ethical point of view and is more ready to offer merciless police vigilance and a cold religion than food to those hungry mouths. None of the half-measures tried in Capitalist countries will ever succeed for they do not reach the heart of the problem which is primarily rooted in economic necessity. Statistics prove that 90 % of the prostitutes seek that profession from economic pressure and 4/5 are

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drawn from classes in extreme poverty. The only country which has so far successfully tackled this problem is Russia for there alone the very root of this evil is sought to be eradicated not only through legislation, but by providing work, homes and more human conditions for these sad victims. When economic wants and the social degradation which goes hand in hand with it is removed and women along with man becomes a conscious living factor, she will resist against her being made to serve merely man's physical and social needs and live the helpless characterless life of a "Female" to be a house-keeper and breeder of children. She will become an economic as well as a social unit, equal wages for equal work being recognised and she will discard her position of inferiority. In such a society child-marriage and *purdah* have no place, for these vicious customs only prevail where women need protection and exist only as appendages to man, with no individual life of their own. Human life is one indivisible unit. No one aspect of it can be separated from another, the solution of one has a vital bearing on the solution of the others.

Then we finally come to their political demands. They ask for adult franchise and equal rights with men to enter legislatures, to share the right to legislate. In a country where the majority is denied franchise, the vote has a glamour beyond its rightful proportion. So long as a government is run within a capitalist frame work as in India—that is, finance, big business and private property control the administration, the vote counts for little. The sad plight of millions of peasants and workers in all capitalist countries where adult franchise has been in vogue for years, proves its impotency. The right to exercise vote or enter legislatures counts for little so long as power is entrenched safely in the hands of vested interest which draws its wealth out of the sweated labour of the masses. Even

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the few concessions the manual workers had been able to win through years of struggle count for little to-day in a world lost in catastrophic economic chaos. The sad disillusioned workers to-day look with hope not to adult franchise, but direct action for their salvation.

Women easily show fervour for the political cause once the message is carried to them. In the political struggle of every country women have played a noble part. "It is impossible to win the masses for politics unless we include the women," said a great revolutionary. But the politics of the future are not the bourgeois politics of the past, where women along with men are exploited and used to win the cause of the bourgeoisie and tighten stronger the coils of oppression round them. Revolution after revolution has come in every country, millions have heroically shed their blood in the proud hope of inheriting a freer world and a brighter life, but have emerged out of the columns of smoke and risen from the rivers of blood to sink yet lower. It is only in the new State built on the solid foundation of mass will and mass power that politics in terms of the larger human life will have any meaning. In the old capitalist countries women's share in politics has been very negligible even in the most advanced areas, for politics has never had the same reality for her as her home, and social drudgery has denied the full opportunity to those who did feel the call. Political rights even when won have remained an impotent and dead factor. In England where the feminists fought and won a bitter battle for political rights, the lot of the poor, the working class women and their millions of children, is in no way better than the lot of their poor sisters and their children in France where women enjoy no political rights. Hence we aim at a State in which the hand of woman is felt, where her influence makes for beauty and sunshine in life. That is only possible when power is wrested from the hands

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of vested interests and passes into the hands of the creators of wealth. As Lenin says: "It is our task to make politics accessible to every working woman..... from the moment private property and private ownership of land and factories is abolished and the power of the land-owners and capitalists broken, political duties will become perfectly simple to the working masses and within the reach of all." They will cease to be a hobby of the leisured few as now and become a dynamic weapon for the good of all.

The fundamental problem which faces India to-day is the human problem—the problem of creating a free, healthy, clean race. It is not this or that aspect of it which is at stake but the national life as a whole. The solution lies in radically reconstructing society, bringing about a fundamental change in its economic basis and its social character. Then alone can women hope to gain the freedom they thirst for and hand it on as a proud legacy to their progeny. To illustrate the truth of this let us take Russia where the future of the womanhood the world over is so vividly foreshadowed.

"Every cook must learn to rule the State," said Lenin and his country is endeavouring to realise it. "Once the Russian woman was roused to defend down-trodden rights, she surpassed the men in energy," writes Amfiteatrov, one of the authorities on Russian women. "Proletarian women have stood the test magnificently in the revolution. Without them we should not have won," said Lenin. To-day they are reaping the fruits of their revolutionary fervour and their sacrifices in the cause of the exploited and the oppressed. They enjoy not the economic freedom of the bourgeois State, but economic security which is the right of every citizen—not merely the right to work, but the right to their legitimate earnings. They enjoy real political power, for the Soviet is based on the foundation of mass will and

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mass power. The number of women working in the various Soviet Departments is over 500,000 and 89 in the Central Executive of the U. S. S. R. Their power is felt in the judiciary and the Executive throughout the U. S. S. R. They figure no whit less in the cultural renaissance as is evident from the rising women writers who make their mark and the increasing number of women's journals and their growing percentage in the scientific and technical fields. Their economic and social freedom necessarily reflects itself in their national laws. The new form of marriage is rational and humane, based upon the equal rights of the sexes which are made practicable in every detail and may be roughly defined as legal marriage with legalised birth-control, right to divorce by mutual consent, protection and security for children. The stigma on the unmarried mother is removed and the obnoxious term "illegitimate child" wiped out for the "factual" non-registered marriage is put on an equal footing with a registered marriage.

Assuredly laws are not everything. Yet in the legislative field everything possible that is required to make women's position equal to men's has to be done. All relations between the sexes are a private concern, but provisions are necessary to safeguard the offsprings of their union and to guard against sexual crimes which involve a menace to society. Feeble-minded mentally unsound or diseased persons should be prevented from breeding—hence the need for medical examination and health certificates and easy access to knowledge of birth control.

Divorce has to be as simple and as private a concern of the parties concerned as marriage, no principle of guilt being involved, a factor so obnoxious in most countries to-day. In a State which recognise and shoulders its responsibility towards the children, this becomes a much simpler affair. Children will no more be used by husbands as a means of enslaving and

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keeping under subjection their wives as is so often the case now. A forced marital relationship is more degrading and harmful to children than guardianship of a single parent, however imperfect that may be. The economic independence of women will considerably simplify the problem of children, though law must recognise and insist on the fundamental principle that man is under obligation to provide for all his offsprings, whether born within wedlock or not. Custody of children, where no private agreement is achieved, should be decided by the court solely in the interest of the children and not on the old worn out theory of Patriarchal rights, a relic of the old feudalistic days which sought to protect the possessing class. For this, motherhood has to be recognised as a social function, honoured, tended and loved, and children as potential seeds of future achievements and greatness.

One visualises the future social relationships not as laws existing on paper, but rather as living forms, crystallising anew, breaking through dead old rigid frame works,—forms which outlive their living meaning. But real comradeship of the sort which the Russian woman is in a position to enjoy is possible only where the wife is able not merely to maintain herself without the help of man but is able to secure liberation through scientific means from the grinding cares and deadening drudgery of house-keeping as it prevails to-day in our country and also better facilities for the care of children through State and public institutions. If equal opportunities for work and intellectual pursuits are to be provided with any measure of success, then more socialistic economic forms are needed in the way of public institutions taking over so much of the dull routine work that burdens our women so needlessly to-day.

To enable emotional growth and free and satisfactory play to emotional life, sufficient leisure and

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freedom from petty cares is absolutely essential. "Women's domestic life is a daily sacrifice amidst a thousand insignificant trifles" said Lenin on one occasion. A housewife's working day is at least 5 hours longer than that of any working woman engaged in labour outside. Mechanisation and socialisation of much of the work alone will give her time and energy for more fruitful pursuits. Public kitchens, canteens, communes have to be set up and easily made available for those who would take advantage of them and gradually learn of their advantages. A sufficiently long period of freedom from work at maternity is indispensable together with homes for mothers and children, infants' nurseries, children's creches not only in industrial but rural areas as well, nursery and kindergarten schools, holiday homes and advisory centres which would give hygiene and medical information, but also advice on social and judicial laws and rights governing women; all these are necessary items in a society which wishes women to live a larger and a fuller life. Freed from outside compulsion the bond between man and woman gets an untrammeled chance to express its harmonious relationship and create real sex equality when woman shall cease to be either a drudge or an ornament and marriage will become a technique of living, not a means of livelihood.

This no doubt will lead to the disintegration of the old patriarchal conception of family. That is inevitable in the face of the great changes, critical thought, startling scientific revelations, conscious study and re-evaluation of family relations and the forms of life. When economic institutions change emotional relationships change also. Matriarchy, polygamy, polyandry have existed and still exist. It is therefore idle to talk of social institutions and social laws in terms of ethics and standardised concepts of morality. The family or the social codes of to-day are not the same as of a century

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ago. No social institution is permanent. However much we may cling to our own snug little faiths and beliefs and pet desires, the future we know will respect them but little, for all human ideas are but passing phases in the ever changing kaleidoscope of human life and that the forms of emotional expression are conditioned by social necessity.

There is one other very vital factor that one sees revolutionising the position of the woman of tomorrow—the right to motherhood. Indivisibly linked up with her economic independence is her sexual independence. One without the other would be innocuous and it alone will make sex equality a true reality for her. Man's fight against woman's struggle to free herself from the penalty of undesired motherhood, is one of the bitterest wars waged by him, for he knows that her victory will deal a death blow to his vested interest and devastate for ever that atrocious structure of a "female character." In savage life as well as in civilized, woman's irrepressible urge to freedom and desire for a larger life has ever led her to seek escape from the sentence nature decreed upon her, and man has ever sought by law, religious canons, public opinion and penalties to thwart her. The highest form of blessing bestowed on a married woman in India is that she may be blest with eight sons, a usage which no doubt has its origin in the old days of imperialistic ward, for the more the ambition for Imperial glory, the keener the encouragement given to breeding and greater the consequent enslavement of women. No woman can call herself free who cannot own and control her body and who can be subdued and enslaved through that very quality of fertility which once raised her to the altar as a deity in the dawn of early civilization.

The first argument against birth control is that it will lead to abuse and immorality. But let us look at morality as it prevails to-day. "Woman is to-day con-

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demned to a system under which the lawful rapes exceed the unlawful ones, a million to one," says Margaret Sanger. "Fear and shame have stood as grim guardians against the gate of knowledge and constructive idealism. The sex life of women has been clouded in darkness, restrictive, repressive and morbid. Women have not had the opportunity to know themselves or to give play to their inner natures, that they might create a morality, practical, idealistic and high for their own needs. .... She must not only know her own body, its care and needs but she must know the power of the sex force, its use, its abuse as well as how to direct it for the benefit of the race. Thus she can transmit to her children an equipment that will enable them to break the bonds that have held humanity enslaved for ages..... Abused soil brings forth stunted growths. An abused motherhood has brought forth a low order of humanity." A free nation cannot be born out of slave mothers. Few have stressed the immorality of the "Property Rights" of man over the body of woman, though religious and social codes and legal laws have been loud over the preservation of the chastity and purity of the unmarried. The crusaders in the cause of freedom must destroy that dead hand of the past which seeks to reach out to the present in its attempt to extinguish the flame of new idealism and crush the fingers who would carve out the new woman, new society and a new world.

Motherhood is one of the most sacred and unique functions of womanhood and should not be left to the mercy of exigencies of accidental circumstances or allowed to be determined by ignorance. It must be a conscious task undertaken with joy and a full sense of its responsibilities, controlled and regulated according to the emotional urge and physical capacity of the woman. For this reason sound knowledge on sex, birth control and use of contraceptives will have to be

made easily accessible to every woman. From the point of national benefit birth-control is necessary for reasons of health, eugenics, social and economic considerations. To put forth the plea that a useful and necessary weapon should not be brought into public use simply because it may be abused is utterly absurd and meaningless. One may as well advocate the stopping of manufacture of matches simply because we can set anything on fire with a match-stick.

The other argument against it is that it will lead to a drastic fall in population. This is a most misleading statement. Mere breeding adds neither to the quality nor the greatness of a nation, it merely lowers vitality, spreads diseases and brings unsound citizens into the world. Those who would have a healthy and clean nation must submit to scientific regulation and stop indiscriminate reproductions. The deadly scourge of venereal disease to-day is eating into the vitals of 47% of our people and if we would prevent its spreading, birth control is indispensable. That birth control does not necessarily cut down the population too drastically is proved by Russia, a country where birth control is legalised, but where the annual increase of population is something like 3 millions.

The future of women in India lies with those 90% who toil and labour in green fields and dark factories and the amount of consciousness that can be roused in them to the rights of their class for it is with them that the rights of their sex are bound up and the measure of the power and influence they wield will be determined by the strength of the class they belong to. They who would win freedom for women, vindicate their rights and give them perfect equality, must work for the larger freedom of the exploited and the oppressed and wipe out the society which keeps the few in luxury at the expense of the many. The women's problem is the human problem and not merely the sex problem. It is

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not literacy or franchise which will fundamentally change their position to their advantage and satisfaction but the root-basis and entire construction of society. We have the two striking examples of Russia on the one hand and Italy and Germany on the other. Whereas in the former the women are establishing complete equality in the physical, material and human relationship, in the latter they are fast losing even their hard-won concessions and rights, for while in Russia vested interest has been overthrown, in Germany and Italy it is making its last desperate bid for an existence which is threatened. India must therefore look to a revolutionised future, when class shall have become a memory of the past, poverty shall have been wiped out and man and woman will have obtained not only their sex rights but their human rights as well and live as noble dignified human individuals and build the new race of equality.

## WHITHER WOMEN?

*By* **UMA NEHRU**

I am surely no prophet who can look into the future through divine inspiration. Nor am I an astrologer who can compel the stars to reveal their great secrets about future happenings. Nor still do I intend to entertain my readers by drawing upon my imagination about writing romance or poetry. I propose to follow the more prosaic method of logic and reason, and, in dealing with my subject, I shall wholly rely on a cold analysis of the past and on hard and admitted facts of history.

If we study the past we find man ceaselessly attempting to change his social environment according to his ideals and needs. These attempts cause vast social upheavals, generate great social movements and bring about basic changes in the structure, idealism and objectives of society. History is a record of all these movements and changes and presents to us a continuous chain of events which knows no breaking, and what is more, each link in this chain is related to the other as cause and effect. No doubt, at times, it is very difficult and almost impossible to establish this relationship. But this difficulty is due to the complexity of human life and to our imperfect knowledge. The fact that this relationship exists is universally admitted and nowhere denied.

If, then, this view of history is correct, and events are related to each other as cause and effect, it should not be impossible for us to forecast the future, however imperfectly. If we want to have some idea about the future of some institution or movement or aspects of

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human life; or for example, say, about the Future woman, we shall have first to examine the causes that determined her social status in the past, and then to see whether these causes are still working or not. If those causes no longer exist we shall have to examine the drift and direction of the new forces that may have taken their place. From the knowledge thus obtained, it will be possible to form a more or less accurate picture of the Future woman.

Broadly speaking, the condition of the present-day woman with slight modifications and some exceptions is basically the same as it was in the remotest past. She is physically weaker than man: she looks up to him as something higher and mightier: her religion practically is man worship: her morality is of compulsion and of the rod: economically she is the slave of man: intellectually she is ignorant and a non-entity in society: in politics she has no place and no interest: socially she is a vehicle for the continuity of the race, but as mother she is very ignorant, helpless and ineffective: she takes great care of her physical charms and is extremely fond of a slender and symmetrical body: These she sports in society to secure a bread-giver: She is the mistress of the home and hearth: which is an euphemism for a cook, a handmaid, a washer woman, a menial, a bed-fellow—all combined.

This practically is her position to-day and this has been her position almost from the dawn of human history.

Now a question arises whether her cruel destiny is inherent in the nature of things and thus unalterable, or is it the result of social conditions and exigencies and so likely to change with a change in the social environments.

To answer this question we should first find out if nature has made any difference in the make, dispositions and attributes of men and women, and if it has,

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are they a sufficient cause to explain the social difference that exists between them to-day? If we find that nature has created deliberate differences, then we can expect no change in the future, for obviously then, her condition will be in the nature of a dispensation which we cannot alter. But if on the other hand we find that nature has made no such dispensation then we shall have to examine her social environment to discover the causes that have brought her to the present pass. We shall deal with the question of natural differences first.

Nature has differentiated between man and woman in two marked ways. In the animal world the male is almost universally physically stronger than the female and the female as mother, has motherly instincts and is more prone and tender towards the child. Apart from these two traits, nature does not seem to have made any other difference between the two.

Now let us appraise the social value of these two traits.

Scientists are of opinion that in the scheme of nature continuation and preservation of the species has the highest place and it, therefore creates in each species those dispositions, attributes and characteristics which are essential for their preservation and continuance. If we examine human life in the light of this theory we find that both these traits also are natural devices for the protection and preservation of the human race. History tells us that in primitive human society constant clashes and conflicts which involved much destruction of life were an order of the day. In those grim conflicts the woman took little or no share on account of her physical weakness and constitutional inaptitude to discharge duties as effectively as man, and was in this way saved from much of the sudden and sweeping destruction to which man was constantly exposed.

Sociologists tell us that both in animal and human

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life the destruction of the female is more prejudicial to social continuity and growth than the destruction of the males. Bernard Shaw in one of his articles on the Great War sarcastically remarked that if the allies wanted to keep the Germans down for centuries they should murder all their women, for with women alive, even if twenty-five per cent. of the male German population managed to survive the nation in a very short time would regain its old position in international politics. Evidently then the physical inferiority of woman was a natural device for the continuation and preservation of the race. In animal life and in early human society also this great social protective did not involve any degradation for social inequality. In fact in the animal world the male and the female are functionally almost indistinguishable, and in early human life also, in spite of the physical disparity, the man and the woman were intellectually, morally and in economic resourcefulness almost on an equal footing. In the animal world the relative position of the two is still the same, and it is only in human society that the female has undergone such degeneration. We have to bear in mind another aspect also. In those groups of animals where the male and the female came together merely for mating purposes or also in those where this relationship is more or less stable, the burden of the protection and nurture of the offsprings falls in the one case exclusively, and in the other mainly on the mother. We know that nature apportions responsibilities with due regard to the fitness of her agents, and it is unthinkable that if the female was inferior to the male intellectually, morally or in economic resourcefulness nature would entrust to her the most onerous responsibility under its scheme, namely the responsibility of the continuation and preservation of the species. Its selection of the female for this high mission seems to indicate that in nature's appraisement the female is a higher type of being than the male.

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It is obvious, then, that nature has not designed woman for that social martyrdom to which she has been subjected so long. We shall have, therefore, to look into the social conditions to find an explanation for it, and much light will be thrown on this question and on these conditions if we try to examine the social significance and utility of man's trait of physical superiority, just as we have examined that of the woman's.

Examining it in this light we find that this trait also fulfilled the same purpose of a protective device as did the other. The only difference was that while the woman's trait tended more to react on society rather indirectly and imperceptively, man's trait achieved this end, directly and demonstratively; and just as the woman's trait tended to preserve the race and the species, man's trait tended to protect the family and the bigger social groups that evolved from the family.

In early life man's special attributes, physical strength and prowess, endurance and self-assertion, all were pre-eminently suited to serve the end. They may be insignificant now, but they had an importance all their own in primitive conditions of life. Then, the struggle for existence was the keenest. Every group was face to face with the question of the survival of the fittest in its most naked and brutal form; and the only test of its fitness to survive was the physical superiority and prowess of its units. Naturally therefore, man as the more physically fit became the centre and the hero of this strife and while it exposed him to greater hardships and more fatal risks, it also tended to give him a dominance over woman and the whole of social life. Man acquired this dominance very early in human society, and as the primitive man emerged slowly into the civilized life this dominance became many sided and all pervading. It dislodged the mother from her proud position in society and ended the matriarchal era. It ushered the patriarchal age and made man the

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father, the protector, the sustainer of the group and its sole unquestioned ruler. It put all power and authority into his hands, and as social life developed under the inspiration of patriarchal idealism, at every step of its growth man gained in stature, personality and power, till he reached his present position, and the woman withered till she became utterly dwarfed, stultified, helpless and insignificant. It seems surprising that mere physical superiority should have proved helpful to man and utterly disastrous to woman. But certain factors in early life with which we shall presently deal made these developments inevitable.

We have already seen how this early life was full of strife and struggle, turmoil and savagery. It was a grim and continuous battle against natural forces and animal and human foes. It was a fight to the finish in which the enemy gave no quarter, and on victory or defeat depended the question of the group's survival or utter destruction. Naturally under these conditions the life and death ordeals of self-defence and aggression and the glory of victory over a foe would be looked upon as the highest and noblest achievements, and this absolute surrender and sacrifice of individual life for the defence or the glory of the group would be regarded as the highest and the noblest social service. Gradually these sections which fulfilled this high social purpose would begin to be regarded with awe and devotion and looked up to as something superior and unapproachable. Because of the power which they wielded in social life these sections also began to regard themselves as superior and higher beings. In this physical superiority and superior mental attitude lies hidden the secret of all those disparities which we find existing to-day between man and woman; and as woman took no prominent part in these high functions of social life her fate became sealed. She was relegated to an inferior sphere and gradually sank into a position of a slave or

a chattel.

The growth of the smaller groups into tribes and bigger units, and the growing needs of maintenance of internal order, and of vaster schemes of defence and aggression, led to the birth and growth of ordered government. Naturally, from the very outset woman remained outside the orbit of this institution and had no real or vital connection with any of its functions. This isolation completed her degeneration and made all growth and freedom of life impossible. It was thus that on account of his physical superiority and mainly through it that man acquired over the woman, intellectual, moral and economic superiority also. And once having got into this position of infinite vantage he used every device to preserve and maintain it.

These were the main factors in early human life which helped to fix the status of woman in the past. We have seen that they are not in the nature of an eternal and unalterable dispensation, but are the result of certain social conditions and exigencies which are an ever changing factor in human society. Already, if we compare the present with the past, it becomes obvious that much of the old world has changed, and, during vast centuries of life and growth, many of its ideas and institutions have been discarded or modified. It will be helpful briefly to touch upon some of the main and relevant changes that have occurred during this vast period and to see how the new conditions, ideas, and social exigencies which have succeeded the old are affecting woman or are likely to affect her future. We have pointed out how the savage and anarchic conditions of primitive life tended to make brute force the dominant factor in human society.

As long as those conditions lasted and the question of self-defence and self-preservation remained in the forefront, brute force naturally retained its old position.

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Even now in times of national danger, dictatorships are established and if necessary, all individual and civic rights are abrogated. Obviously then, in early society when the common danger was ever present the suppression of individual and civic liberty would be a normal condition. No notions of individualism or ideas of social liberty could be born under such conditions. Society then was all in all, the individual had simply no existence, and the single object of this society was self-defence and self-protection. It would have been indeed very extraordinary if woman, who in such times was seemingly more a social handicap than a help, had not been regarded as inferior, low and insignificant.

But gradually society emerged from these conditions. The age of progress and prosperity dawned on the human race. Cultivation became its main source of livelihood, society became static: arts and crafts, trade and commerce rose on the rising tides of civilization. Religions were born and spread from end to end with their gospels of peace and human brotherhood and helped in tranquillizing and stabilizing the anarchic and disturbed conditions of the times: governments became more organised and more effective: paid agencies for the maintenance of internal order and for purposes of national defence were evolved: peace and security were established on a firmer basis. In face of these developments the question of self-defence and self-preservation receded into the background and lost its former glamour and importance for society.

All these great developments were naturally preceded and followed by vast and revolutionary changes in human thoughts and institutions. We will confine ourselves here to some of the most important and only such of these as directly tend to react on the social lot of women. We will take religion first. Its spread gradually succeeded in changing many of the social motives, and in broadening and humanizing consider-

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ably the social outlook. It taught the human race that above and beyond the material there was also a moral life, much higher and much nobler than the other. The seeds of moral independence and spiritual yearnings thus sown took such roots and religious idealism achieved such growth, that at one time it successfully overshadowed the material concerns of man altogether. Under its influence human rights and duties were firmly based exclusively on moral foundations, and as a consequence the doctrine of brute force was discredited and its hold on human life and institutions much weakened and almost removed. No doubt in international life it still continues to be the only sanction but here also ideas of collective security and national co-operation are being successfully evolved, and from this consensus of civilized life and society all sanctions of brute force have successfully been tabooed. As a consequence, customs, institutions, habits and dispositions, which developed while brute force dominated, are in the nature of mere survivals of the past, whose fate is doomed. Superior physical strength and prowess are now merely objects of amusement and not of awe or adulation, and the mind and not the body, the moral and not the physical factors are now becoming the dominating and the governing forces in human life.

Equally radical and far reaching has been the change in ideas on which the institution of Government was based in the past. As long as the question of self-defence and self-preservation dominated, it seemed as if society existed merely to serve Government. But with the change of times it began to be realised that the Government existed merely to serve society. This complete reversal of the old theory and outlook ushered in a new era in human growth, and has gradually led to the utter break up of the old social order. It made the birth and growth of democratic ideas and ideals possible and prepared a ground so congenial for their growth,

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that to-day these ideas are the main moving and moulding forces in society. And if religion by substituting the moral factor in place of the physical removed the great handicap of woman's physical inferiority democratic ideas with their gospel of equal justice and equity for all, have knocked the bottom out of all notions of sex discrimination and sex equality. These were the obstacles which from eternity obstructed woman's growth and restricted her freedom, and their final removal from human society has prepared the ground for her freer and happier growth.

These great changes, religious and political, have revolutionized human life and removed from its path much of the ancient debris that was obstructing its progress. Among other things knowledge has been freed from its religious and conventional moorings and made available to the common people on a scale which was unknown to the past. Its spread in its new way and scientific forms has considerably weakened the hold of religious superstitions and unthinking conservatism on human society.

As a social force religion no longer occupies in the present-day society the same position which it did in the past. Its idealism and its sanctions have all lost their old compelling power. After the end of the brute force era it was through religious idealism and sanctions that man succeeded in gilding the chains which held woman captive to his will, and it was through stolid conservatism which religion engendered and cherished, that this captivity was so inordinately prolonged. But now all this has changed. Society is wildly hacking at its old umbrageous benefactor and trying to tear it out root and branch, and all the gods and tin gods and man gods that were worshipped under its shade are being indiscriminately thrown into the melting pot. No doubt woman is still greatly under its influence. But the portals of knowledge are not so

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much locked to her as they were in the past and she is daily gaining more and more access to them. This knowledge will revolutionize her life. It will give her a broader outlook and a keener insight into things. It will make her all the more discontented and desirous of change and supply to her the moral strength and the will to achieve it. In educating woman society is introducing into her life the most powerful revolutionary force known to history and this force will naturally react on her in the same way as it has reacted on man. It will liberalize, energise, and revolutionize her life.

Now if we look on the economic world conditions we find that these have changed even more than the religious and the political and these changes also are greatly in woman's favour. The present civilization has given birth to numerous social theories and introduced many new and intricate problems in human life. Capitalism, Industrialism, Militarism, Socialism, Communism and Fascism with a whole host of their progeny of all colours and shades are creating a confusion in human affairs which the world has never known before. Various type of knowledge and innumerable engagements and occupations have produced a bewildering welter in the thoughts and dispositions of men and women. As a result they do not find it so easy to live out their lives together as they did in the good old past. Besides the economic pressure has intensified so much and the standard of life has gone so high that man himself is finding it difficult to keep body and soul together. The burden of supporting a family has already become so unbearable that on one side man is increasingly seeking to avoid marriage and on the other woman is increasingly putting herself in the market to seek employment for self support. She is tired of the broom and the kettle and wants a change and man also finds her broom and kettle more expensive now than a single bed in a cheap hotel. The thought of progeny

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frightens both and both are inspired by individualistic idealism and have been cast in pure individualistic moulds. So practically all the ties of the old home life have snapped and all the idealism on which the ancient home was built has ended. Industrialism, for its success like the demons of old demanded a sacrifice; and humanity has sacrificed the old home life, its most ancient and cherished institution at its altar. So woman has lost her only shelter and means of support and naturally she is in the market seeking employment. Every factor in the present civilization is tending to generate in woman a desire to be economically free of man, and there is nothing in present-day life to check or suppress this desire. The efforts of a Hitler or a Mussolini to send woman back to the kitchen or to coax or cudgel man into matrimony will not succeed.

As we have seen above the social and the moral and the psychological background of the old home life has been destroyed and it cannot be reared up again on its old foundations. Frantic slogans in the name of racial superiority or natural welfare will not retard the advancing tide of its impending dissolution. The old home life is dead, not dying, and the economic freedom of woman, which the world conditions are making inevitable, will lay the last stone on its tomb. In the past it was the physical factor and then the religions which kept woman down. In the present it is the economic factor, and as soon as the woman becomes economically free this unpleasant chapter of her history will also end.

We have completed one review. We have examined the conditions both old and new which influenced or are influencing woman's life and growth and in dealing with these conditions we have been foreshadowing the line of her future development. If we have not misappraised facts, and have interpreted correctly the lessons of history, it is clear that the moulds in which

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woman was cast in the past have all broken down, and the present is casting her, in all her salient features on new and different lines. In fact the whole social structure of which she was a part has collapsed and what is more, society seems more engaged in clearing the ground to raise a new edifice than trying to support the old on its weak and ancient props. So for the woman the future is full of hope and promise. The gloom of the past is being slowly dispelled and a new dispensation is materializing under our eyes, slowly but inevitably, in which the decrepit, ignorant, helpless and insignificant woman of the past is giving place to the woman of the future—physically healthy, strong and enduring: morally a force and responsible member of society: intellectually man's equal if not superior: emotionally the centre of social life: and economically mistress of her own affairs. This woman of the future will not be the better-half of man but the better-half of society and will have with man the equal right and opportunity of moulding the social destiny. It is no empty dream. It has for its basis the whole history of the past and the drive and the drift of the present world forces. We live in an age of reason and age of science and an age of democratic ideals and aspirations, and though these great phrases have more sound in them than substance, yet they fully represent the trend and the spirit of the times. And the time spirit makes the transformation we have foreshadowed sure and inevitable.

It is impossible now that for any length of time society will afford to neglect the life and growth of woman. On the one hand the woman herself will not let it sleep as she has been roused into activity and is adopting man's method of propaganda and self-assertion: on the other the conditions of married life have become so deteriorated as to have become a menace to society. Marriage was a device to lessen

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life's burdens, to give stability to the home and thus increase life's joys. Even in the animal world where the partnership is more or less of a stable type it helps to increase the joy and zest of life, lessens the rigour of the struggle for existence and makes the nurture and the protection of the offspring easier and more effective. But the married life of man and woman fulfills none of these objects and has sunken to a level lower than that of the beasts.

The present woman is an atrophied limb of the social organism and specially in civilized society she depends as completely for her support and sustenance on the husband as a child does on its mother. Economically, therefore, she has become a veritable parasite. Intellectually she is ill-equipped and ignorant.

Apart from the economic burden, man remains engrossed in the vaster problems of life, religious, political and social, and here also he has to bear the burden and strain of his responsibilities all alone. His partner in life is utterly unfit to give him any real help or solace. Economically resourceless and a burden, intellectually ignorant and helpless, she has merely her body to offer. But the instinct of sex requires for its sustained and real gratification in addition to the physical some psychological nourishment also. This she cannot supply. As a result her body soon becomes uninteresting and insipid.

Thus economically a parasite, intellectually an effete and physically insipid the present wife is a drag and a handicap to her husband. No wonder then that he becomes impatient, arrogant, selfish and self-centred and wanders into new pastures. No wonder also that society is verging steadily and inevitably towards polygamy and polyandry. Society is becoming more and more conscious of these anomalies and of the disastrous consequences they imply for the child and the continuity of the human race, and as this conscious-

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ness grows it will anxiously try to remove them, not in the interest of woman, but for the good of the child, the man, and the human race.

The old world failed to realize that in keeping woman weak and ignorant and wholly dependent on man it was crippling not her alone but also the child and the man. The relation between them is so close and so vital that the degeneration of the one cannot but involve the degeneration of the other. It was a fact, but the old world failed to realize it.

The present-day world has realized this fact and so trying to rectify this great mistake. Comparatively it has become more indulgent to woman and is trying to undo the injury which the old world had done to her. It is trying to improve her lot and has removed many of her old shackles, also it has improved the conditions of her partnership with man and is trying howsoever haltingly to put man and woman on an equal footing. But this is not enough. Though a great advance on the past it is yet only a partial realization. The mere removal of the woman's old shackles and setting her on a footing of equality with man will not solve the social problem. In fact the remains of the old social system and of its religious and emotional backgrounds are obstructing a clearer vision, and the present world, like the old, is failing to grasp an obvious fact of its social life. But when the remains of the old structure are removed and things become visible in a still clearer perspective, the world will then see what it is failing to see now, that on the growth or degeneration of the woman depends in a much larger measure and to a much larger degree the growth or degeneration of society; and that by educating and instructing the woman—even to the utter neglect of man—it will automatically educate both man and the child. For human ingenuity cannot devise a better medium of instruction for the emotional and intellectual

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culture of the child than the lap of an educated, cultured, knowing mother. And the child is father to the man—the single centre and source of the future health and growth and life of the community. It is this central fact which society has yet to grasp in all its implications. It has realized no doubt to some extent the social potentialities for good and evil of woman as a wife. But it is only a partial realization, a glimpse of the real picture. To complete this picture it has also to realize the social potentialities of woman as a mother and as a preserver and protector of the race. And in her lap it has to visualize the child as the centre and the source of all future life and energy. Unless this realization comes the present world will repeat the mistake of the old and create in the path of its progress difficulties greater than that of the past.

No doubt the introduction of elements of equality in marriage will provide for a better and more healthy gratification of the sex instincts and improve the conditions of mental companionship: but it will not by itself supply the most important element in marriage—the continuation and the preservation of the race. The man-ridden past erred in making marriage one sided, the present is erring in making marriage utterly and dangerously individualistic. Just a mere slogan to send the woman back to the kitchen will not arrest the coming change because the true spirit makes it inevitable. So also castrations and contraceptives, prizes and honours for successful child bearing, and any number of such contrivances will not secure the preservation of the race, unless and until the present individualistic motives and idealism are not utterly subdued and subordinated to the social motives. The past secured the preservation of the race by suppressing the woman and confining her to the exclusive task of child bearing and child culture. But its object was not well fulfilled, for as we have seen, in crippling woman it crippled the

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race.

The present individualism is creating a more dangerous position by gratifying the man and the woman and ignoring the child. All such solutions of marriage and experiments based on such solutions are bound to fail and will create more confusion and misery in the world.

What is therefore needed is a deeper study of the problems of the child and how best to offer the world its best citizens—mere shibboleths of nationalization of the child are not going to solve the problem. At best they are experiments which may produce monsters as well as great men.

Russia is the only country which is trying to solve the marriage problem seriously and scientifically. It is not nationalizing the woman. It is nationalizing and humanizing marriage. Society needs to free the woman from her present shackles. This has been done in Russia and in very many places in varying degrees. But this is not enough. Society has yet to realize that the woman has a destiny higher than that of the wife. Not till it has realized this will the last stages of human life and growth be reached.

But this is a vision of a future so remote that we may not enter upon it here.



